

R E P O R T

FROM THE

SELECT COMMITTEE

ON

S A V I N G S B A N K S ;

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE,

MINUTES OF EVIDENCE,

APPENDIX, AND INDEX.

*Ordered, by The House of Commons, to be Printed,
1 August 1850.*

Lucas, 29^a die Aprilis, 1850.

Ordered, THAT a Select Committee be appointed to inquire into and Report upon the Circumstances connected with the Failure of the St. Peter's Parish Savings Bank, in Coffe-street, Dublin, and also the Cases of the Savings Banks at Tralee, Killarney, and Auchterarder, and into any Secrecy or Liability that may exist for the Satisfaction of the Losses thereby occasioned.

Lucas, 13^a die Maii, 1850.

Committee nominated,—

The Chancellor of the Exchequer.
The Lord Mayor of Dublin.
Mr. Henry Herbert.
Mr. Goulburn.
Mr. John Abel Smith.
Sir George Clerk.
Sir William Gibson Craig.
Mr. Herries.

Mr. Poulett Scrope.
Sir John Yarde Buller.
The Marquis of Kildare.
Mr. Ker Seymour.
Mr. Shafto Adair.
Mr. William Pagan.
Mr. Bramston.

Ordered, THAT the Committee have power to send for Persons, Papers, and Records.

Ordered, THAT Five be the Quorum of the said Committee.

Jovis, 1 die Augusti, 1850.

Ordered, THAT the Report from the Select Committee on Savings Banks of last Session be referred to this Committee.

Ordered, THAT the Committee have power to Report the Minutes of Evidence taken before them to The House.

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R E P O R T.

THE SELECT COMMITTEE appointed to inquire into and Report upon the Circumstances connected with the Failure of the St. Peter's Parish Savings Bank, in Caffee-street, *Dublin*, and also the Cases of the Savings Banks at *Tralee*, *Killarney*, and *Auchterarder*, and into any Security or Liability that may exist for the Satisfaction of the Losses thereby occasioned, and to whom was referred the Report of the Committee on Savings Banks of last Session, and who were empowered to Report the Minutes of Evidence taken before them to The House:—HAVE considered the Matters to them referred, and have agreed to the following REPORT:

YOUR COMMITTEE find, with respect to the Savings Bank in Caffee-street, *Dublin*, that it was established in 1818, and that the deposits continued to increase until in 1830 the liabilities of the bank amounted to 187,739 *l.* 11 *s.* 10 *d.* That in 1831 a large deficiency was discovered, owing to the misconduct of the registrar, Mr. Dunne, who absconded in the early part of that year.

That in consequence of the discovery of this deficiency the position of the bank was brought under the notice of the Commissioners for the Reduction of the National Debt, but it does not appear that the real state of the bank, or the full amount of the actual deficiency, was communicated to the Commissioners.

That Mr. Tidd Pratt, the arbitrator appointed by the Commissioners under the provisions of the Act of Parliament, proceeded to *Dublin* in the spring of 1831, and adjudicated upon such claims as were submitted to him, pronouncing claims to the extent of 7,589 *l.* 8 *s.* to be legal and valid, and directing them to be paid forthwith, and pronouncing certain other claims to the extent of 4,274 *l.* to be illegal, but recommending them to be paid out of any future surplus which might accumulate in the funds of the bank.

g Geo. 4. c. 32.

That Mr. Tidd Pratt does not appear to have considered himself authorized to investigate the affairs of the bank, or to have been made acquainted with the real state of those affairs, and believing that the then deficiency did not exceed the sum of *l.* for which the trustees expressed their readiness to become responsible, and hoping that under prudent management a future surplus might be attained, he recommended the bank to be kept open.

That the trustees kept open the bank, but did not comply with Mr. Tidd Pratt's recommendation to postpone the payment of his award for 4,274 *l.* (the amount of illegal claims), but paid that sum as well as the amount of legal claims (7,589 *l.* 8 *s.*), and a large amount of claims subsequently made, which had been concealed by the dishonesty of Mr. Dunne. No proper investigation appears to have taken place with regard to the latter class of claims.

That though in 1831 public confidence in the bank was somewhat shaken by the discovery of the frauds committed by Mr. Dunne, the deposits subsequently increased, until in 1845 they reached the sum of 263,312 *l.* 9 *s.* 10 *d.*, which, however, were largely reduced by a severe and long protracted run at the end of that year and in the beginning of 1846.

That the bank closed in 1846 with liabilities amounting to 64,774 *l.* 3 *s.* 8 *d.*, and assets amounting to 90 *l.* 16 *s.* 5 *d.*

That subsequently to 1831, in consequence of gross mismanagement, if not from conduct still more reprehensible, the deficiency then existing gradually increased,

increased, until it reached in 1848 the amount shown in the preceding paragraph.

That the trustees and managers of the bank did not comply with the provisions of the Act of Parliament either in furnishing their accounts annually in due time to the Commissioners for the Reduction of the National Debt, or affixing in the office copies of such accounts for the information of their depositors.

That no accounts whatever were furnished to the Commissioners in 1829 or 1830; and that the accounts furnished in subsequent years were not only full of gross errors, but knowingly understated the amount of the growing deficiency.

That the account furnished to the Commissioners in 1833 showed a deficiency of 3,671 *l.* 12 *s.* 2 *d.*, which fluctuated largely in the following years, until the account furnished to the Commissioners in 1847 exhibited a deficiency of 32,922 *l.* 16 *s.* 1 *d.*

That in 1838, when the acknowledged deficiency amounted to 25,371 *l.* 6 *s.* 8 *d.*, the affairs of the bank were for the second time brought under the notice of the Commissioners, who recommended that a thorough investigation of the accounts should take place, which the trustees positively refused to allow.

That in 1845, the state of the bank was again brought under the notice of the Commissioners and the Chancellor of the Exchequer, when the trustees were recommended to close the bank, which they refused to do.

That the only powers vested by law in the Commissioners, for the correction or repression of misconduct in the management of savings banks, appear to be :

1. That of giving notice in the *Gazette* in the event of irregularity in the furnishing the annual accounts.

2. Closing the account of the bank in default with the Commissioners; in other words, refusing to receive further monies on account of such bank.

That the Commissioners did not exercise these powers, partly from a misgiving as to the effect of an exercise of their authority, and partly from an unwillingness to run the risk of creating a discredit of these institutions.

That though the powers vested in the Commissioners are not effectual for preventing all loss to the depositors, it seems clear in this case that if the Commissioners had noticed publicly the irregularity in the furnishing of the accounts, or if in 1838, when they required an investigation of the affairs of the bank, or in 1845, when they recommended that the bank should be closed, the Commissioners had closed their account with that institution, such a step would probably have led to a winding up of the affairs of the bank at that time, and the losses of the depositors would have been less than they eventually have been.

That if the bank had stopped in 1838 the depositors would have received nearly 16 *s.* 8 *d.* in the pound; and if in 1845, the loss to the depositors would not have much exceeded 5 *s.* in the pound.

That Your Committee are inclined to allow due weight to the considerations which they believe influenced the Commissioners in 1838 and in 1845 in the course which they pursued, but that they cannot but feel that, as regards the depositors, who are principally of the poorer classes, a different course would have prevented the total loss of all their savings.

That there does not appear any probability of obtaining from the trustees or otherwise any sum adequate to cover the losses of the depositors; Your Committee therefore, influenced by the considerations detailed in the preceding paragraphs, while they cannot admit the existence of any legal liability on the part of Her Majesty's Government, recommend the case of the depositors in the Cuffe-street Bank to the favourable consideration of Her Majesty's Government, with a view to the adoption of some measure which should at least mitigate the extent of their loss.

That the management of this bank, both previous to and since the year 1831, is liable to grave suspicion, and Your Committee having already felt it their duty to recommend the institution of criminal proceedings against Mr. John

Ilughes

Hughes and Mr. John E. Hughes, the registrars or secretaries, think it due to the interests of public justice to call the attention of Her Majesty's Government to the conduct of several of the trustees in the discharge of the trust they had assumed.

That the cases of Killarney and of Tralee have no peculiar features strongly differing from those of other banks which have suffered from the dishonesty of their actaries. The Tralee bank stopped in 1848, with liabilities to the extent of 36,768*l.*, and assets amounting only to 1,850*l.*

The Killarney bank closed a few days subsequently with a liability to depositors of 36,000*l.*, and available assets 16,582*l.* A subscription of 1,300*l.* has enabled the trustees to pay some of the poorest depositors 20*s.* in the pound, and there is some property of the late actuary still in the hands of the trustees.

The bank at Anebterarder was a small one, and no evidence has been given to Your Committee as to the cause of its stoppage. A local subscription of 700*l.* enabled the trustees to pay the depositors 18*s.* 6*d.* in the pound.

Your Committee cannot close this Report without expressing their conviction of the unsatisfactory state and working of the existing law in reference to savings banks. It is clear, as appears from the proceedings in the Caffee-street case, that there is no adequate power vested in the Commissioners for the Reduction of the National Debt to check abuses and mismanagement, however indisputable; and in the cases of Tralee and Killarney it is no less obvious that the operation of the law has produced results which all must concur in regretting.

The law prior to 1844 was intended to give the depositor a remedy against the trustee, in case of wilful neglect and default; but in the Tralee case it has been shown that the difficulty of the legal enforcement of their claims by individual depositors is so great as to render the remedy rarely practicable.

In almost every preceding case of the failure of savings banks, a recourse to legal measures has been rendered unnecessary by the voluntary contributions of the trustees and others; and it is in truth rather to the exertions of those who take an interest in the welfare of their humbler neighbours than to any legal enactments that Your Committee look for the proper conduct and well-doing of these institutions.

In 1844, the Legislature thought right to make an important change in the law, by which the trustees of savings banks were released from all liability, except where it was voluntarily assumed. This provision has in the Killarney case worked in a manner obviously at variance with the intentions of Parliament.

As the trustees prior to the passing of the Act in 1844, were liable to the then depositors, it became necessary for Mr. Tidd Pratt to make a distinction between the depositors previous to and subsequent to 1844; and inasmuch as the trustees could not be called upon for any personal contribution until the funds were exhausted, Mr. Tidd Pratt conceived it to be his duty to award to the depositors prior to 1844, payment of their claims in full, while the funds at his command only enabled him to award to depositors subsequent to 1844, 3*s.* in the pound on the amount of their claims.

Your Committee have observed with much satisfaction that the Chancellor of the Exchequer has introduced a Savings Banks Bill, which is calculated to remedy several important defects in the existing law, and extends the responsibility of Her Majesty's Government to the depositors, and they therefore abstain from all observations on this part of the subject, further than to state the conviction which this inquiry has forced upon them of the urgent necessity for further legislation if these institutions, which have acquired of late years an extent and importance so little anticipated by the original founders of Savings Banks, are to preserve their hold on the confidence of the country, or produce the beneficial results expected from them, in encouraging and rewarding the industry and self-denial of the working classes.

1 August 1850.

PROCEEDINGS OF THE COMMITTEE.

Veneris, 17^a die Maii, 1850.

MEMBERS PRESENT:

The Chancellor of the Exchequer.	Lord Mayor of Dublin.
Mr. Henry Herbert.	Mr. Goulburn.
Mr. John Abel Smith.	Sir George Clerk.
Marquis of Kildare.	Mr. Ker Seymour.
Mr. Fagan.	Mr. Bramston.

Mr. John Abel Smith called to the Chair.

Report from Mr. David Martin to the Chancellor of the Exchequer, on the accounts of the Cuffe-street Savings Bank, read. (See Appendix.)

Ordered, That the Rev. S. W. Fox and Mr. Robert S. Mayne be summoned for Monday, 3d June.

[Adjourned till Monday, 3d June.

Lunet, 3^a die Junii, 1850.

MEMBERS PRESENT:

Mr. JOHN ABEL SMITH, in the Chair.

Mr. Chancellor of Exchequer.	Mr. H. Herbert.
Mr. Fagan.	Mr. Bramston.
Sir W. Gibson Craig.	Marquis of Kildare.

The Committee deliberated on their course of proceeding.

Mr. Mayne, book-keeper to the Cuffe-street Savings Bank, was called in and examined.

[Adjourned to Wednesday next, at Twelve.

Mercurii, 5^a die Junii, 1850.

MEMBERS PRESENT:

Mr. JOHN ABEL SMITH, in the Chair.

Marquis of Kildare.	Mr. H. Herbert.
Mr. Ker Seymour.	Mr. Fagan.
Sir George Clerk.	Mr. Shafto Adair.
Sir W. Gibson Craig.	Mr. Goulburn.
Mr. Bramston.	Sir J. Y. Bulker.

Mr. Mayne further examined.

Rev. S. W. Fox called, and examined.

Ordered, That Mr. John Emanuel Hughes do attend on Monday next, at 12 o'clock.

[Adjourned till Monday next, at Twelve o'clock.

Lunæ, 10^a die Junii, 1850.

MEMBERS PRESENT:

Mr. JOHN ABEL SMITH, in the Chair.

Mr. H. Herbert.
Sir J. Y. Baller.
Mr. Bramston.
Sir W. Gibson Craig.
The Chancellor of Exchequer.

Mr. Fagan.
Mr. Ker Seymour.
Sir George Clerk.
Mr. Goulburn.
Marquis of Kildare.

Mr. Hughes, called and examined.

John F. Armstrong, esq., called and examined.

Mr. William H. Porter, called and examined.

Ordered, That Mr. B. B. Smyth do attend this Committee on Friday next, the 14th, at Twelve.

Adjourned till Wednesday next, at One o'clock.

Veneris, 14^a die Junii, 1850.

MEMBERS PRESENT:

Mr. JOHN ABEL SMITH, in the Chair.

Sir J. Y. Baller.
Sir George Clerk.
Sir W. Gibson Craig.
Mr. Goulburn.

Mr. H. Herbert.
Mr. Fagan.
Mr. Chancellor of Exchequer.
Mr. Bramston.

Mr. B. Smyth, called and examined.

Adjourned sine die.

Lunæ, 24^a die Junii, 1850.

MEMBERS PRESENT:

Mr. JOHN ABEL SMITH, in the Chair.

Sir George Clerk.
Mr. Ker Seymour.
Lord Mayor of Dublin.
Mr. Chancellor of Exchequer.
Sir J. Y. Baller.

Mr. Herries.
Marquis of Kildare.
Mr. Bramston.
Mr. Fagan.

Ordered, That Mr. Joseph Ferran be summoned for Monday next, at One o'clock.

Adjourned.

Lunæ, 1^a die Julii, 1850.

MEMBERS PRESENT:

Mr. JOHN ABEL SMITH, in the Chair.

Lord Mayor of Dublin.
Mr. Chancellor of Exchequer.
Mr. Bramston.
Mr. Ker Seymour.
Sir W. Gibson Craig.

Sir George Clerk.
Mr. Fagan.
Mr. Herbert.
Sir J. Y. Baller.

The Chairman produced a letter from Mr. Ferran to Mr. Hamilton, M. P., enclosing a medical certificate of his inability to attend. (See Appendix.)

Committee deliberate on their course of proceeding.

Motion made (Sir George Clerk): "It having appeared to the Committee, in the course of their investigations, that there is grave suspicion of misconduct on the part of *John Hughes* and *John Emanuel Hughes*, cashiers, or agents and cashiers of St. Peter's Parish Savings Bank, and the Committee, seeing no practical result likely to arise from further inquiry into this branch of the case, they recommend that Her Majesty's Government should direct the law officers of the Crown in Ireland to take such proceeding against *John Hughes* and *John Emanuel Hughes* as may compel a complete disclosure of the facts of the case, and best further the ends of justice." Question put, and agreed to.

Resolved, "That the Committee will, on Thursday next, enter into a preliminary discussion, previous to the Report being drawn up."

[Adjourned till Thursday next, at Twelve o'clock.]

Jovis, 4^a die Julii, 1850.

MEMBERS PRESENT:

Mr. JOHN ABEL SMITH, in the Chair.

Mr. H. Herbert,
Mr. Fagan,
Mr. Bramston,

Mr. Poulett Scrope,
Mr. Chancellor of Exchequer.

[Adjourned till Monday, 22d, at Twelve o'clock.]

Lenæ, 22^a die Julii, 1850.

MEMBERS PRESENT:

Mr. J. A. SMITH, in the Chair.

Lord Mayor of Dublin.
Mr. Herries.
Mr. Chancellor of Exchequer.
Sir W. Gibson Craig.
Marquis of Kildare.
Mr. Poulett Scrope.

Mr. Fagan.
Mr. H. Herbert.
Sir George Clerk.
Mr. Bramston.
Mr. Goulburn.

Committee deliberate.

Motion made (Mr. Chancellor of Exchequer): "That no legal claim exists against the Commissioners for the Reduction of the National Debt, or the Government, on the part of the Kildare, Triloe, Caffee-street, or Auchtermoider Savings Banks." Question put, and agreed to.

[Adjourned till Thursday next, at Twelve.

Jovis, 25^a die Julii, 1850.

MEMBERS PRESENT:

Mr. JOHN ABEL SMITH, in the Chair.

Mr. H. Herbert.
Mr. Shafto Adams.
Mr. Chancellor of Exchequer.
Mr. Fagan.
Mr. Bramston.
Sir W. Gibson Craig.

Sir George Clerk.
The Lord Mayor of Dublin.
Mr. Goulburn.
Mr. Herries.
Mr. Poulett Scrope.

Committee deliberate.

Motion

Motion made (Mr. H. Herbert): "That in the case of the Killarney Bank there are special circumstances which strongly entitle the depositors to the favourable consideration of Parliament." Question put. Committee divided:

Ayes, 4.
Lord Mayor of Dublin.
Mr. Fagan.
Mr. H. Herbert.
Mr. P. Scrope.

Noes, 6.
Sir George Clerk.
Mr. Chancellor of Exchequer.
Mr. Goulburn.
Mr. Bramston.
Mr. Haries.
Mr. Shafto Adair.

Motion made (Mr. H. Herbert): "That in the case of the Tralee Bank there are special circumstances which strongly entitle the depositors to the favourable consideration of Parliament." Question put. Committee divided:

Ayes, 4.
Lord Mayor of Dublin.
Mr. Fagan.
Mr. H. Herbert.
Mr. P. Scrope.

Noes, 7.
Sir George Clerk.
Mr. Chancellor of Exchequer.
Mr. Goulburn.
Sir W. Gibson Craig.
Mr. Bramston.
Mr. Haries.
Mr. Shafto Adair.

Motion made (Mr. H. Herbert): "That independently of the neglect on the part of the Commissioners for the Reduction of the National Debt of a strict observance of those regulations which were laid down for the protection of the depositors, it appears in the case of the Killarney Bank that the law of 1844 has produced results which must be assumed to have been unforeseen by the Legislature; and that the funds of the depositors since 1844 have been applied in a manner destructive of the interests of such depositors, and entirely at variance with the plainest dictates of justice and fair dealing." Question put. Committee divided:

Ayes, 3.
Lord Mayor of Dublin.
Mr. Fagan.
Mr. H. Herbert.

Noes, 8.
Sir George Clerk.
Mr. Chancellor of Exchequer.
Mr. Goulburn.
Sir W. Gibson Craig.
Mr. Bramston.
Mr. Haries.
Mr. P. Scrope.
Mr. Shafto Adair.

Motion made (Lord Mayor of Dublin) and question proposed, "That the case of the depositors in the Coffee-street Savings Bank is worthy of the special consideration of Parliament; and that although, strictly speaking, the depositors have no legal claim on the public exchequer, they have a strong equitable and moral claim on the Government for reimbursement of their losses; and that the case of the depositors be recommended to the consideration of the Legislature, in order that some immediate measures be taken for the discharge of their claims."

Amendment proposed (Mr. Chancellor of Exchequer), to leave out all the words after "Coffee-street Savings Bank," and to insert the words, "be recommended to the favourable consideration of Her Majesty's Government, with a view to some measure being proposed to Parliament which would, in addition to what may be obtained from parties who may be liable to make good any deficiency, and also from local subscriptions, in some degree mitigate the extent of their losses."

Question, "That the words proposed to be left out stand part of the question," put. Committee divided:

Ayes, 3.
Lord Mayor of Dublin.
Mr. Fagan.
Mr. H. Herbert.

Noes, 8.
Sir George Clerk.
Mr. Chancellor of Exchequer.
Mr. Goulburn.
Sir W. Gibson Craig.
Mr. Bramston.
Mr. Haries.
Mr. P. Scrope.
Mr. Shafto Adair.

Words left out.

Question proposed, "That these words be there inserted."

Amendment proposed (Lord Mayor of Dublin), to leave out the words "in some degree."

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Question,

Question, "That the words proposed to be left out stand part of the question," put.
Committee divided:

Ayes, 7.
Sir George Clerk,
Mr. Chancellor of Exchequer.
Mr. Goulburn.
Mr. Brauston.
Mr. Harries.
Mr. P. Scope.
Mr. Shafto Admir.

Noes, 3.
Lord Mayor of Dublin.
Mr. Pagan.
Mr. H. Herbert.

Question, "That those words be there inserted," put and agreed to.

Original question, as amended, put and agreed to, as follows: "That the case of the depositors in the Cuffe-street Savings Bank be recommended to the favourable consideration of Her Majesty's Government, with a view to some measure being proposed to Parliament which would, in addition to what may be obtained from parties who may be liable to make good any deficiency, and also from local subscriptions, in some degree mitigate the extent of their losses."

Motion made (Mr. Chancellor of Exchequer): "That there are no circumstances in the case of the Ashchurch Savings Bank which call for the interference of the Legislature." Question put and agreed to.

Resolved, "That the Chairman do prepare a Report in conformity with the above Resolutions."

[Adjourned.]

Jouis, 1^{re} die Augusti, 1850.

MEMBERS PRESENT:

Mr. JOHN ADAM SMITH, in the Chair.

Mr. Shafto Admir.
Mr. H. Herbert.
Mr. Goulburn.

Mr. Pagan.
Lord Mayor of Dublin.
Sir W. Gibson Craig.

Report proposed by Mr. H. Herbert read a first time, as follows:

"Your Committee Report that these banks, originating, like others of the same kind in the desire of individuals to stimulate the humbler classes to industrious and saving habits, have given rise to a system of gross fraud and robbery, and that thousands of unfortunate persons, without any fault of their own, have, in consequence of their reliance on the stability of these institutions, been reduced to a state of beggary and destitution."

"In the case of the Cuffe-street Bank, a considerable deficiency was incurred in the year 1831, from the default of the cashier. Instead of being then closed, it was kept open, in consequence of the advice of Mr. Tidd Pratt, who hoped that the disaster might be repaired. In 1844, when the last change in the law took place, the deficiency known by the Commissioners for the Reduction of the National Debt was 20,862 l. 19 s. 11 d. In 1845, in consequence of a run, it sustained a further loss; and on the 10th of May 1848 it stopped payment, with a liability of 64,683 l. 7 s. 1 d., and with only 87 l. standing to the credit of the business."

"The Twelve bank stopped in April 1848, with liabilities to the amount of 36,768 l., and with only 1,650 l. in the treasurer's hands."

"The Killanny Bank closed a few days subsequently, with claims to the amount of 36,000 l., and with 16,582 l. of available assets, making a total deficiency in the three banks of 119,132 l. The deficiency in this last-mentioned bank has been somewhat decreased by a private subscription, and there is property of the late actuary in possession of the trustees, which it is hoped will eventually realise 5 s. in the pound for the unpaid depositors. These deplorable losses Your Committee trace to a variety of causes."

"1st. To the neglect and, in the case of the Cuffe-street Bank they regret to be obliged to add, the fraud of some of the trustees and managers, and the dishonesty of actuaries."

"2dly. To the imperfect state of the law, which recent events have proved does not afford sufficient protection to depositors against the neglect or mismanagement of trustees and managers, or the frauds of actuaries."

"3dly. To the neglect of the Commissioners for the Reduction of the National Debt, in not insisting upon compliance with certain provisions of the different Acts framed expressly for the protection of the depositors, thereby giving direct facilities for the commission or concealment of frauds; in overlooking gross and palpable errors on the face of annual statements, called for by themselves, and given in a form prescribed by them, in many cases showing deficiencies to an amount exceeding 3,000 l. and 4,000 l., and in the case of the Cuffe-street Bank, in continuing to keep open the account at the National Debt Office, thus enabling the trustees to receive deposits for a series of years, after their attention had been formally called to the fact of the existence of a deficiency."

"With regard to the conduct of the trustees and managers, the evidence clearly shows that there has been a total absence on their part of that supervision which, considering the importance

(Evidence 1848.)
Q. 1565.
(1849) Q. 3544.

(1849) Q. 3072.
(1848) Q. 1218.

Mr. Harries's Report.

(1848) Q. 2500.
Tidd Pratt's Report,
p. 27.
Evidence 1848.

(1849) Q. 3046.

(1848) Q. 1245.

importance of the interests committed to their charge, it was undoubtedly their duty to have exercised over the management of these establishments; and in the case of the Caffé-street Bank, there appear on the face of the accounts annual deficiencies which are totally unaccounted for, the existence of which renders it impossible that Your Committee can acquit some of the trustees and managers of even a graver charge than that of mere neglect.

"Of the fraud of the actuaries there can be no doubt, two of them having in the years 1833 and 1848 absconded, leaving considerable deficiencies, and one having been tried and sentenced to transportation for the offence of embezzlement. Your Committee do not think it necessary to enter into a lengthened detail of the various defects in the statutes for the regulation of savings banks, more especially as they have seen with pleasure that a measure has been introduced into the House of Commons by the Chancellor of the Exchequer, which it is hoped, will receive the sanction of Parliament in such a form as will have the effect of placing these most valuable institutions on a sound basis.

"Your Committee, however, cannot forbear from remarking on the grievous injustice that was inflicted upon depositors in consequence of the passing of the 7 & 8 Vict. c. 83. Up to the year 1844, under the statutes then in force, trustees and managers were liable for any losses that might ensue, either through their own neglect or the defalcation of actuaries; and persons becoming depositors, having satisfied themselves of the solvency of such trustees and managers, had good faith the security of those individuals in the event of any mismanagement of the funds. This state of things continued up to August 1844, at which time, in consequence of some trustees having been made liable for a deficiency that had occurred in a savings bank, an Act was passed, 7 & 8 Vict. c. 83, which contains a clause totally relieving trustees from all their former responsibility, without affording any other security to depositors for the safe custody of their savings. Names have been thus allowed to continue before the public as guarantees of confidence and trust, whilst in fact their responsibility had been wholly removed, and they no longer afforded the slightest security; and, when the failure of these banks was announced to the suffering depositors in the different localities, they for the first time became aware that they had no remedy from the trustees or security from the Government.

"The attention of Your Committee has been particularly called to the extreme hardship that has been inflicted upon the depositors in one of these banks in consequence of the Act of 1844. In the case of the Killarney Bank, there were, at the time of the failure, available assets to the amount of 16,400*l.*; the claims amounted to 36,800*l.* Mr. Todd Pratt, the barrister appointed under the Act for the settlement of disputes, considered himself coerced to award 12,800*l.* of the assets to the legal depositors previous to 25th August 1844, being their full claim, or 20*s.* in the pound, and to award the balance of 3,600*l.*, or only 3*s.* in the pound, to those who had deposited subsequent to that period; thus the money of the later depositors has been actually taken to pay those who in equity and justice had no stronger claim on the funds remaining to be divided.

"The injustice inflicted in this case is increased by the consideration that Your Committee have every reason to believe that the awards thus made were illegal, and could not have been sustained in a court of law.

"In *Tralee*, Mr. Todd Pratt having made awards against the trustees for sums lodged previous to 1844, the depositors have been for two years involved in litigation for the recovery of the money. The legal proceedings have terminated by the awards being set aside, first by Judge Bull, at the Spring Assizes of 1849, and subsequently on appeal by the Judges in the Court of Queen's Bench in Dublin. The Lord Chief Justice Blackburn, in pronouncing the unanimous judgment of the Court, stated that not one of the directions prescribed by the Act of Parliament, to be pursued by Mr. Todd Pratt, to enable him to make these awards had been complied with, and that, consequently, all his awards were invalid. The Chief Justice concluded with words which your Committee quote, which clearly show, that although to a certain extent this decision was delivered on technical grounds, independently of technical points, the Court were ready to set aside the awards.

"This determination I should have regretted if I had found that, in fact, the arbitrator had gone through the due course of inquiry, by the result of which alone he could have been warranted in awarding that this defendant was indebted to the plaintiff and the other depositors in the whole amount of their deposits. But as far as I can judge, this conclusion was arrived at as the consequence of a very large deficiency of the bank funds, without inquiry into the causes of that deficiency, without ascertaining to whose misconduct it was attributable, and without taking the accounts necessary to establish the right of the plaintiff to be paid 20*s.* in the pound by the defendant as his personal debtor. Your Committee cannot too strongly express their regret that an inquiry involving interests so important should have been conducted by the gentleman to whom they were entrusted in the manner above described by the Chief Justice; and as there does not appear to be any reason to doubt that the same want of care and legal precision existed in the inquiry which led to the decision before alluded to with reference to the Killarney Bank, Your Committee are of opinion that in both these cases the depositors have suffered through the neglect or incompetence of a public officer.

"Other awards have been brought under the notice of Your Committee in which the decisions appear to have been arrived at with an equal want of care and disregard of fair dealing, the grounds for which, upon examination, Mr. Pratt has been totally unable to explain.

"It appears to Your Committee that the depositors in these banks have just reason to complain that the provisions of the different Acts of Parliament, which were evidently intended by the Legislature for their security, have not been carried into effect by the

Mr. Martin's Report.

(1846.) P. 55, Letter.
(1848.) Q. 295.

(1848.) Q. 29.

(1848.) Q. 293.
(1848.) Q. 1063.
(1848.) Q. 1247, et seq.

(1848.) Q. 151.
(1848.) Q. 254.

(1848.) Q. 3793.

Todd Pratt's Report,
p. 27 (1848).

Chief Justice Blackburn's judgment.

Page 22 (1850).

Commissioners for the Reduction of the National Debt, and that thereby great facilities have been given for the commission of frauds.

"The sixth section of the 7 & 8 Vict. c. 83, just alluded to, limits the liabilities of trustees to such sums 'as they shall have respectively declared in writing under their hands, and deposited with the Commissioners for the Reduction of the National Debt, that they are willing so to be answerable for.' Your Committee are of opinion that measures ought either to have been taken to induce the trustees to sign the declarations contemplated by the Act, or if the trustees either neglected or refused to enter into such engagements, that the attention of the public ought to have been called to the fact. Shortly after the passing of the Act of 1844 official communications were addressed by Mr. Tidd Pratt to the attornies of savings banks, calling their attention to the change in the law, and desiring them to request the trustees to comply with the sixth section. No answers were received from the attornies already existed on their career of fraud, and whose motives for suppressing such communications are obvious. Notwithstanding these suspicious circumstances, notwithstanding that no written undertakings were forwarded, no amended rules of the savings banks submitted to the revising barrister during the three years between the passing of the Act and the failure of the banks, no notice was taken by the authorities at the National Debt Office.

"The securities required by the 17th section 7 & 8 Vict. c. 83, to be given by the treasurer and actuary, and lodged with the Comptroller-general of the National Debt Office, do not appear to have ever been required, although, in the opinion of Your Committee, and by the admission of the secretary to the National Debt Office, it was clearly the duty of the Commissioners to have insisted upon their being entered into. By the 48th section 9 Geo. 4, c. 98, the annual accounts of savings banks were required to be made up to the 30th of November in each year, and transmitted to the Commissioners for the Reduction of the National Debt within six weeks after the 30th day of November in each year. This time was subsequently, by the 13th section 7 & 8 Vict. c. 83, extended to nine weeks. These directions, which are clearly compulsory, were not complied with, and in many instances, not for several months afterwards, and the powers conferred upon the Commissioners for their enforcement were not exercised.

"By the 3d of William 4, c. 14, s. 30, it is enacted, 'That if the annual statements, &c. to be prepared and transmitted by the trustees of a savings bank shall not be prepared and transmitted to the Commissioners for the Reduction of the National Debt within the time limited by the said Act, it shall and may be lawful for the said Commissioners for the Reduction of the National Debt, within the time limited by the said Act, or for the Comptroller-general, or Assistant Comptroller acting under the said Commissioners, and they and he is and are hereby severally required forthwith to publish in the 'London Gazette,' and also in any newspapers published in the county in which the savings bank is established, the name of every such savings bank so neglecting or making default in transmitting such annual statement as aforesaid in such form and words, for the information of the depositors, and under such regulations as the said Commissioners, or the said Comptroller-general, or Assistant Comptroller shall from time to time think fit.' Your Committee find that the directions contained in this clause are pronounced to be compulsory by the highest legal authority, as well as by the Commissioners themselves; it therefore appears to Your Committee that the Commissioners neglected their duty in not giving the information to the depositors, and in not taking the necessary steps to prevent irregularity in the transmission of accounts.

"Both in the cases of the Cuffs-street and Kilsney Banks palpable errors appear in the annual statements of accounts furnished by the attornies, which could not have escaped notice, if the smallest supervision had been exercised by those to whom the accounts were submitted.

"In the case of the Cuffs-street Bank, so far back as 24th November 1830, the attention of the Commissioners was called to certain irregularities in the transmission of the annual statements; and it appears that no accounts whatever were transmitted for the years 1828, 1829, during which time Mr. Higham states that the Commissioners were not in possession of the necessary information as to the state of the bank. In April 1831 it became evident that a loss had been sustained through the frauds of the actuary, who absconded. The trustees then addressed the Commissioners on the subject of their embarrassment, expressing a desire to close the bank, and a partial and imperfect inquiry into the affairs of the bank by Mr. Tidd Pratt took place, which ended in that gentleman (very independently as it appears to the Committee) recommending the trustees to keep it open, in the hope of gradually making up the deficiency out of the difference between the amount of interest allowed by Government to the trustees and that paid by the latter to their depositors. The subsequent management, however, so far from having had a tendency to diminish the deficiency, only plunged the affairs of the bank in deeper embarrassment; gross mismanagement, and even fraud, appears to have prevailed on the part of some of the trustees. The annual accounts transmitted to the Commissioners for the Reduction of the National Debt showed each year a gradually increasing deficit; and in 1839 the Commissioners (who it appears had repeatedly remonstrated with the trustees on the deplorable state of their affairs), becoming seriously alarmed, wrote to the trustees suggesting a thorough investigation of the accounts by a professional accountant. This proposition being declined by the trustees, the case of the bank was submitted to Mr. Tidd Pratt for his professional advice. Your Committee regret that the fears of the Commissioners were allayed by the following opinion, in consequence of which no further steps were taken:—

'I am

"I am of opinion that the Commissioners for the Reduction of the National Debt have no power, under the 9th Geo. 4. c. 94, or the 3d Will. 4. to compel the trustees and managers to allow their accounts to be investigated. If they would allow any competent person to inspect them, I have no doubt but that the apparent large deficiency is capable of explanation, and would be considerably, if not altogether, reduced." Your Committee are at a loss to conjecture what were the reasons that induced Mr. Pratt to hazard this opinion, there not appearing from the evidence to have been, either at this or any period between 1831 and 1845, any cause for well-grounded confidence. Similar increasing deficiencies continued to be exhibited in each year, until in 1848 the bank closed with an apparent deficiency of 32,922*l.* 16*s.* 1*d.* During the whole of this period, not only were the accounts, with these apparent deficiencies on them, passed at the National Debt Office, but manuscript statements were accepted, the trustees being unable to fill up the customary printed form which contains a certificate that the statement furnished to the Commissioners is a true account. In 1845 the alarming condition of the Cuffe-street Bank was specially brought under the notice of the Chancellor of the Exchequer by a deputation sent from Dublin for that purpose, at which period had the bank been closed, if the statements of accounts before the Commissioners were correct, the funds would have yielded a dividend of 18*s.* in the pound to every claimant.

(1844.) Q. 1399 et seq.
(1844.) Q. 1542.
(1845.) Q. 1570 et seq.
(1845.) Q. 1437.

(1845.) Q. 500 et seq.
(1845.) P. 104.

"It appears, however, by the Report of Mr. Martin, who has been sent by the Chancellor of the Exchequer to investigate the accounts of the bank, that the real deficiencies do not at all correspond with those which were transmitted to the National Debt Office, and that the actual deficiency was even greater than appeared on those statements; in fact, that the accounts so forwarded to the National Debt Office must have been, to use the words of Mr. Martin, wholly fictitious. The deficiency appearing in the accounts, as rendered to the National Debt Office, was 32,922*l.* 16*s.* 1*d.*, while that according to Mr. Martin's report, amounts to 64,683*l.* 7*s.* 1*d.*

"Your Committee have no desire to question the motives that induced the Commissioners originally to sanction the continuance of this bank after its embarrasments became apparent. The evidence of Mr. Hagham clearly shows that considerations of public policy, and a fear of creating a panic with regard to other banks, influenced the course then pursued. Your Committee, however, have found it but too clearly established that the result of this course, although it has produced the desired end of preventing alarm elsewhere, has been to plunge upwards of 2,000 unfortunate persons into utter ruin; and it appears to them most extraordinary, that when in the year 1844 it was deemed expedient by the Chancellor of the Exchequer to introduce the Bill of that date, the Commissioners, who were consulted on the subject of the proposed change in the law, should, in the face of the circumstances above detailed, have sanctioned the continuance of the bank, by keeping open the account after an Act had passed which absolved trustees from responsibility, and all the consequences of any future mismanagement.

(1845.) Q. 3073.

(1845.) Q. 2661 et seq.

"Your Committee, having taken all these circumstances into their careful consideration, are of opinion, that whether regard is had to the imperfect state of the laws regarding savings banks generally, or the manner in which those laws have been administered, the depositors have strong claims for some compensation for the losses they have sustained.

"Considering further that the impression has been almost universally entertained among the humbler classes, either that depositors in savings banks possess direct Government security for their money, or that Government supervision and control indirectly gives a peculiar and exceptional solidity to these institutions, an impression which the relations between the banks and the National Debt Commissioners have been calculated to encourage, Your Committee recommend the case of the depositors to the consideration of the Legislature for such measure of relief as may seem advisable, conceiving that money so applied will be beneficially expended in re-assuring the public mind, and encouraging those habits of industry which it is the interest of Government to promote."

(1845.) Q. 812.
(1845.) Q. 2561 et seq.
(1845.) Q. 812.
(1845.) Q. 1545.

Question put, "That the Report proposed by Mr. H. Herbert be read a second time."

Committee divided:

Ayes, 2.
Lord Mayor of Dublin.
Mr. H. Herbert.

Noes, 4.
Mr. Shafto Adair.
Mr. Chancellor of Exchequer.
Mr. Goulburn.
Sir Wm. G. Craig.

Report proposed by the Lord Mayor of Dublin, read a first time, as follows:

"The select Committee appointed to inquire into and report upon the circumstances connected with the failure of the Saint Peter's Parish Savings Bank, Cuffe-street, Dublin, and also on the savings banks at Tralee, Killybeg, and Achnamader, and into any security or liability that may exist for satisfaction of the losses thereby occasioned; Your Committee having proceeded to take evidence on the matters to them referred, which evidence they have from time to time reported to The House, have now to submit the following Report:—

"Your Committee find, with respect to the case of the Saint Peter's Parish Savings Bank, Cuffe-street, Dublin, that it was established in the year 1818, and its deposits continued to increase until the year 1828, when they amounted to upwards of 128,237*l.*

Foot's statement, Ex. of
19 Feb. 1840, p. 55.
Q. 1401.
Hagham's 542a.

649.

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"That

"That an account of the assets of the bank, pursuant to the provisions of the 9th Geo. 4, c. 99, s. 46, which passed into a law on the 28th January 1828, was furnished to the Commissioners for the Reduction of the National Debt for the year 1828, but that no accounts whatever were furnished for the years 1829 or 1830, and the state of the bank permitted to be unaccounted for during these years, which the Commissioners appear to have sanctioned in violation of the provisions of 9 Geo. 4, c. 99, s. 46.

"That about the year 1831 it became evident that a loss, amounting to about 30,000 £, to the funds of the institution was sustained, through the fraud of the then actuary, named Danna.

"That in the month of April 1831, Mr. Landy E. Foot, one of the trustees of said bank, was deputed to visit London as a deputy from the savings bank to the Commissioners for the Reduction of the National Debt, to represent the position and affairs of the institution, and that Mr. Foot came to London and submitted to Mr. Higham, the Comptroller-general of the National Debt Office, and to Mr. John Todd Pratt, the barrister appointed under the Act, a written statement of the affairs of the bank, containing a request to the Commissioners for the Reduction of the National Debt 'to appoint a commissioner to forthwith proceed to Dublin to take possession of the assets and other property of the bank (then amounting to about 182,000 £), the trustees thereby undertaking to legally assign them to such commissioner, and proposing that each commissioner should have authority to inquire into the management of the bank and the cause of the funds, and proceed to remodel and close the bank altogether.'

"That the course suggested in that statement was not adopted by the Commissioners, but that Mr. Todd Pratt proceeded to Dublin and made a partial adjudication of the claims of depositors, awarding to some whose claims amounted to 7,589 £ 0 s. 8 ½ d. to be paid immediately out of the assets of the bank (although there then was an ascertained deficiency in the funds of the bank to a considerable amount), and awarded to certain other claimants, whose deposits amounted to 4,274 £ 19 s. 2 ½ d., and who he states had 'no legal claim as the trustees,' should be paid in full out of the future surplus fund of the bank, and finally recommended that the bank should be kept open and continue its business.

"That the trustees and managers of the institution, acting upon the advice given by Mr. Pratt, continued to receive deposits, and to carry on the general business of the bank; and in order to maintain its credit with the public, the bank continued to pay all claimants who demanded the amount of their deposits, amongst whom were included all those whom Mr. Pratt directed to be paid out of a 'future surplus fund,' together with many claimants, and upon whose legal rights that gentleman had made no adjudication; by which course a great grievance was inflicted in the absorption of a large amount of the money belonging to subsequent *bona fide* depositors (who knew nothing of the position of the bank), in the discharge of those demands.

"That it appears by the evidence of James Higham, esq., Assistant Comptroller of the National Debt Office, who produced the original annual accounts transmitted from the Caffestreet Savings Bank to the National Debt Office, that there was apparent on the face of them a deficiency in the assets of the bank in the year 1833, of 3,671 £ 12 s. 2 d.; in 1834, 7,004 £ 4 s. 8 d.; 1835, 13,529 £ 16 s. 4 d.; 1836, 19,143 £ 10 s. 6 d.; 1837, 18,598 £ 9 s. 8 d.; 1838, 25,371 £ 6 s. 6 d.; 1839, 24,194 £ 12 s. 11 d.; 1840, 23,019 £ 15 s. 3 d.; 1841, 21,738 £ 11 s. 8 d.; 1842, 20,681 £ 7 s. 7 d.; 1843, 20,802 £ 19 s. 4 d.; 1844, 19,934 £ 3 s. 10 d.; 1845, 18,450 £ 12 s. 11 d.; 1846, 20,551 £ 2 s.; 1847, 25,022 £ 16 s. 6 d.

"That independently of the deficiencies appearing on the face of the accounts, they were not transmitted within the time prescribed by the Act of Parliament, nor were they furnished in the form directed by the Commissioners, but the form deputed from and violated in the most serious respect; and it further appears, that for six years prior to the year 1838, 'the accounts furnished by the bank' (to use the language of the witness, Mr. Higham), 'were hardly better than no accounts at all.'

"That under these circumstances the Committee are of opinion the Commissioners had power, under the provisions of the 9 Geo. 4, c. 99, s. 46, 'to close the accounts of the bank.'

"That Your Committee are strengthened in this view of the duties incumbent on the Commissioners in this particular case, by the opinion (in evidence before the Committee) of the Right Honourable Richard Wilson Greene, late Attorney-general for Ireland, in which he states as his opinion, 'that under the 46th section of the 9th Geo. 4, c. 99, that the Commissioners for the Reduction of the National Debt had authority, upon being applied that the trustees of the savings banks had neglected to transmit the account required by the Act, or had neglected or refused to obey any orders or directions given by the Commissioners, to close the account of the trustees, and to discontinue keeping any further account with them, and to hold the funds then in their hands until such account should be re-opened; and is further of opinion, that under the 50th section of the 3 & 4 Will. 4, the Commissioners were required to publish the name of the savings bank guilty of default in not transmitting the account; and that in omitting to do so, the Commissioners were guilty of a violation of the duty imposed on them by the Act.'

"That the delinquencies of the trustees and managers appear to have been specially brought before the notice of the Commissioners in the year 1845 by a deputation from the Dublin Savings Bank, together with the deficiency apparent up to that period, and other facts showing the position of the affairs, and the existence of gross malpractices in the institution; but the bank nevertheless was, by the Commissioners, allowed to continue its operations from the year 1831 to 1848, exhibiting on the face of its annual accounts the deficiencies already stated during that period, and that in the month of May 1848 it stopped payment

See Question.
Q. 4253, 4254, 4255.
205A, 2057.
Ev. of June 1849.
Same Ev. Q. 4260, 4261, 4262.

Same Ev. Q. 4519.

Ev. of June 1849.
Q. 4569.

Same Ev. Q. 4594.

See Maria's Report as to assets.

Ev. of June 1849.
Q. 4919.
Same Ev. Q. 4920.

Same Ev. Q. 4987, 4988.

Same Ev. Q. 5114, 5115.
Same Ev. Q. 5241, 5242.

Same Ev. Q. 5191, and latter part 5271.

See Higham's Ev. of June 1849, Q. 4294.

Same Ev. Q. 4411, 4416, 4451, 4472, &c.

Q. 3171.

payment with an ascertained liability of 64,683 *l.* 7*s.* 1*d.*, and having assets to meet this enormous deficiency amounting only to the sum of 90 *l.* 16*s.* 5*d.*

"That it appears by the report of Mr. David Martin, an eminent accountant, employed by Your Committee to examine the accounts of the bank, that in the year 1845, already referred to, the liabilities of the bank amounted to 253,212 *l.* 9*s.* 10*d.*, and that the assets to meet the same were 206,796 *l.* 13*s.* 6*d.*, showing, that if the Commissioners for the Reduction of the National Debt had then closed the account of the Cuffe-street Bank, and advertised its insolvency, the depositors could have been paid from the funds of the bank a composition of about 16*s.* in the pound.

"That Your Committee, feeling surprised that the Commissioners should have continued their connection with the bank under the circumstances that had come to their knowledge, as above set forth, and for the purpose of ascertaining their motives for permitting the carrying on the bank for 17 years, although having a full knowledge of its insolvency, re-examined Mr. Higham, of the National Debt Office, who stated that the Commissioners permitted the bank to carry on business notwithstanding such insolvency, on grounds of 'public policy,' and fearing that its 'stoppage would create a general run on other savings banks'; and that this was the opinion entertained by the Commissioners at the time, who, as it appeared (by his evidence), 'had taken the matter into their consideration.' And it was also admitted by this officer of the Commissioners, that he knew of no case like that of the Cuffe-street Bank, and that anything done with reference to the payment of the depositors in this bank, would form no precedent to ground the claims of other banks as the circumstances attending the Cuffe-street Bank were really unparalleled.

"With reference to the laws governing savings banks, Your Committee feel bound to remark on the great injustice occasioned to depositors in consequence of the passing of the 7 & 8 Vict. c. 83. Up to the year 1844, under the statutes then in force, trustees and managers were liable for any losses that might ensue, either through their own neglect or the default of *actuaries*.

"That was the state of the law up to August 1844, at which time the above-mentioned Act was passed, which contains a clause wholly releasing trustees from all their liability, without substituting or affording any other security to depositors for the safe custody of their savings; and names have been allowed to continue before the public as guarantees of confidence, whilst in fact their responsibility had been wholly removed. Thus, when the failure of the bank was announced to the unfortunate depositors, they for the first time became aware they had no remedy against the trustees or security from the Government.

"Your Committee further state, that in order to distinctly ascertain the gross amount of deficiencies in the Cuffe-street Savings Bank, they employed an eminent accountant, Mr. David Martin, to examine the affairs and accounts of the bank from 1830 to 1848 inclusive, and ascertain the amount due to the depositors; which duty that gentleman has performed, and reported to Your Committee that a sum of 64,683 *l.* 7*s.* 1*d.* appears to be due (to about 1,600 depositors), and that the only assets to meet this enormous deficiency is a sum of 90 *l.* 16*s.* 5*d.* in the hands of the Commissioners for the Reduction of the National Debt.

"Your Committee having now briefly reported the leading circumstances connected with the failure of the St. Peter's Parish Savings Bank, and the amount of available assets or security to meet the losses, regret to state that the total amount of liabilities as already ascertained, appears to be 64,683 *l.* 7*s.* 1*d.*, due to 1,604 persons, the great majority of whom are aged and infirm servants, labourers, and industrious artisans; and the only amount of available assets to meet this liability is a sum of 90 *l.* 16*s.* 5*d.*

"Your Committee having taken into consideration that the banker appointed under the Savings Bank Acts (Mr. Tidd Pratt) having official knowledge of the insolvency of the bank in the year 1831, and notwithstanding such knowledge, advised the trustees and managers to keep it open and continue its operations:

"That although the Commissioners for the Reduction of the National Debt had official knowledge that no annual accounts, as required by the 9 Geo. 4, were furnished to them for either of the years 1839 or 1840, they did not exercise the powers vested in them pursuant to the provisions of said Act:

"That it appears that from the year 1831 to 1847, the annual accounts of the bank transmitted to and received by the National Debt Office, showed that the bank was hopelessly insolvent:

"That such annual accounts were not furnished within the time prescribed by the Acts of Parliament, nor in the form ordered by the Commissioners; and furthermore exhibited alarming deficiencies, varying from 3,671 *l.* 12*s.* 2*d.* to 32,922 *l.* 16*s.* 1*d.*; the real amount of which deficiency is now ascertained to be 64,683 *l.* 7*s.* 1*d.*:

"That notwithstanding these enormous and alarming facts, the Commissioners did not, in performance of the duties imposed upon them by the provisions of the Acts of Parliament, either 'close the accounts of the bank,' nor publish the circumstances connected with it, for the information of depositors:

"That Mr. Higham, the assistant comptroller of the National Debt Office, gave in evidence that for 17 years the Commissioners for the Reduction of the National Debt had official knowledge of the state of the bank, but permitted it to continue its operations on the ground of 'public policy,' and from an apprehension that if the Cuffe-street Savings Bank was closed, a panic would ensue, the consequences of which might be a general run on other savings banks:

See Martin's Report,
14 Dec. 1849.

See same Report.

Ev. on Jan. 1850.
Q. 3080, 3084, 3086,
3089.

Same Id.
Q. 3117, 3118.
Q. 3121, 3122.

Martin's Report.

See Evidence to June
1830, G. 3771.

"That whilst the trustees and managers of the Cuffe-street Bank and the Commissioners for the Reduction of the National Debt had full knowledge of the insolvency of the bank, the unfortunate depositors were kept in utter ignorance of the insolvent and alarming position of the institution :

"That the effect of the policy pursued with regard to this bank has been to enable the early depositors to get paid in full, and to cast the entire loss on those poor people who during the latter years of the institution deposited their savings therein up to the date of its failure, in utter ignorance of the state of its affairs, and under the impression that they had Government security for the amount of their deposits :

"Under all these circumstances Your Committee are of opinion that the case of the depositors in the Cuffe-street Bank is worthy of the special consideration of Parliament ; and that although strictly speaking the depositors have no legal claim on the public exchequer, they have a strong equitable and moral claim on the Government for reimbursement of their losses.

"Your Committee therefore beg to recommend the case of the depositors to the consideration of the Legislature, in order that some immediate measures be taken for the discharge of the claims of the depositors in the late St. Peter's Parish Savings Bank, Cuffe-street, Dublin.

"That in the case of the Talbot and Killarney Savings Banks there are strong special circumstances entitling the depositors to the favourable consideration of Parliament.

"There appears to have been in both those banks some points in which (by oversight or otherwise on the part of the National Debt Office) due attention and supervision was not practised in the investigation of the accounts furnished by the trustees pursuant to Act of Parliament, and which it is conceived ought to have been strictly attended to for the protection of depositors ; and that the Act of 1844 proved most prejudicial and ruinous to the depositors in the Killarney Savings Bank, who lodged their money since its enactment ; as by the construction put on it by Mr. Tidd Pratt, the barrister appointed under the Savings Bank Acts (who adjudicated on the claims on these banks), the lodgements of those depositors who invested since 1844 were appropriated by him in payment and full discharge of the claims of those who had been depositors prior to the enactment above stated, and which is certainly contrary to every principle of equity and justice.

"The depositors in the Talbot Bank endeavoured to obtain payment of their demands from the trustees by legal proceedings, but which it appears were rendered abortive by the course adopted by Mr. Tidd Pratt in his adjudications.

"Your Committee therefore beg to recommend the claims of the depositors in the Talbot and Killarney Savings Banks to Parliament, for such measure of relief as it may deem fit.

"Your Committee have also inquired into the case of the failure of the Auckender Savings Bank, and find that the depositors therein have been paid 18s. in the pound, and that there are no circumstances connected with its failure or otherwise, entitling the depositors to the consideration of Parliament for relief."

Question put, "That the Report proposed by the Lord Mayor of Dublin be read a second time." Committee divided :

Ayes, 3.
Lord Mayor of Dublin.
Mr. H. Herbert.

Noes, 4.
Mr. Shafto Adair.
Mr. Chancellor of the Exchequer.
Mr. Goulburn.
Sir W. Gibson Craig.

Report proposed by the Chairman read a first time, as follows :

"Your Committee find, with respect to the Savings Bank in Cuffe-street, Dublin, that it was established in 1818, and that the deposits continued to increase until in 1830 the liabilities of the bank amounted to 187,759*l.* 11*s.* 10*d.* That in 1831 a large deficiency was discovered, owing to the misconduct of the registrar, Mr. Dunne, who absconded in the early part of that year.

"That in consequence of the discovery of this deficiency the position of the bank was brought under the notice of the Commissioners for the Reduction of the National Debt, but it does not appear that the real state of the bank, or the full amount of the actual deficiency, was communicated to the Commissioners.

"That Mr. Tidd Pratt, the arbitrator appointed by the Commissioners under the provisions of the Act of Parliament, proceeded to Dublin in the spring of 1831, and adjudicated upon such claims as were submitted to him, pronouncing claims to the extent of 7,589*l.* 8*s.* to be legal and valid, and directing them to be paid forthwith, and pronouncing certain other claims to the extent of 4,374*l.* to be illegal, but recommending them to be paid out of any future surplus which might accumulate in the funds of the bank.

"That Mr. Tidd Pratt does not appear to have considered himself authorized to investigate the affairs of the bank, or to have been made acquainted with the real state of those affairs, and believing that the then deficiency did not exceed the sum of £, for which the trustees expressed their readiness to become responsible, and hoping that under prudent management a future surplus might be attained, he recommended the bank to be kept open.

"That

"That the trustees kept open the bank, but did not comply with Mr. Tidd Pratt's recommendation to postpone the payment of his award for 4,274*l.* (the amount of illegal claims), but paid that sum as well as the amount of legal claims (7,589*l.* 8*s.*), and a large amount of claims subsequently made, which had been concealed by the dishonesty of Mr. Drake. No proper investigation appears to have taken place with regard to the latter class of claims.

"That though in 1831 public confidence in the bank was somewhat shaken by the discovery of the funds committed by Mr. Drake, the deposits subsequently increased, until in 1845 they reached the sum of 263,212*l.* 9*s.* 10*d.*, which, however, were largely reduced by a severe and long protracted run at the end of that year and in the beginning of 1846.

"That the bank closed in 1848 with liabilities amounting to 64,774*l.* 3*s.* 6*d.*, and assets amounting to 90*l.* 16*s.* 5*d.*

"That subsequently to 1831, in consequence of gross mismanagement, if not from conduct still more reprehensible, the deficiency then existing gradually increased, until it reached in 1848 the amount shown in the preceding paragraph.

"That the trustees and managers of the bank did not comply with the provisions of the Act of Parliament either in furnishing their accounts annually in due time to the Commissioners for the Reduction of the National Debt, or affixing to the office copies of such accounts for the information of their depositors.

"That no accounts whatever were furnished to the Commissioners in 1829 or 1830; and that the accounts furnished in subsequent years were not only full of gross errors, but knowingly understated the amount of the growing deficiency.

"That the account furnished to the Commissioners in 1833 showed a deficiency of 3,671*l.* 1*s.* 1*d.*, which fluctuated largely in the following years, until the account furnished to the Commissioners in 1847 exhibited a deficiency of 39,921*l.* 16*s.* 1*d.*

"That in 1838, when the acknowledged deficiency amounted to 25,371*l.* 6*s.* 6*d.*, the affairs of the bank were for the second time brought under the notice of the Commissioners, who recommended that a thorough investigation of the accounts should take place, which the trustees positively refused to allow.

"That in 1845 the state of the bank was again brought under the notice of the Commissioners and the Chancellor of the Exchequer, when the trustees were recommended to close the bank, which they refused to do.

"That the only powers vested by law in the Commissioners, for the correction or repression of misconduct in the management of savings banks, appear to be:

"1. That of giving notice in the *Gazette* in the event of irregularity in the furnishing the annual accounts.

"2. Closing the account of the bank in default with the Commissioners; in other words, refusing to receive farther monies on account of such bank.

"That the Commissioners did not exercise these powers, partly from a misgiving as to the effect of an exercise of their authority, and partly from an unwillingness to run the risk of creating a discredit of these institutions.

"That though the powers vested in the Commissioners are not effectual for preventing all loss to the depositors, it seems clear in this case that if the Commissioners had noticed publicly the irregularity in the furnishing of the accounts, or if in 1838, when they required an investigation of the affairs of the bank, or in 1845, when they recommended that the bank should be closed, the Commissioners had closed their account with that institution, such a step would probably have led to a winding up of the affairs of the bank at that time, and the losses of the depositors would have been less than they eventually have been.

"That if the bank had stopped in 1838, the depositors would have received nearly 16*s.* 6*d.* in the pound; and if in 1845, the loss to the depositors would not have much exceeded 5*s.* in the pound.

"That Your Committee are inclined to allow due weight to the considerations which they believe influenced the Commissioners in 1838 and in 1845 in the course which they pursued, but that they cannot but feel that, as regards the depositors, who are principally of the poorer classes, a different course would have prevented the total loss of all their savings.

"That there does not appear any probability of obtaining from the trustees or otherwise any sum adequate to cover the losses of the depositors; Your Committee therefore, influenced by the considerations detailed in the preceding paragraphs, while they cannot admit the existence of any legal liability on the part of Her Majesty's Government, recommend the case of the depositors in the Cuffe-street Savings Bank to the favourable consideration of Her Majesty's Government, with a view to the adoption of some measure which should at least mitigate the extent of their loss.

"That the management of this bank, both previous to and since the year 1831, is liable to grave suspicion, and Your Committee having already felt it their duty to recommend the institution of criminal proceedings against Mr. John Hughes and Mr. John E. Hughes, the registers or secretaries, think it due to the interests of public justice to call the attention of Her Majesty's Government to the conduct of several of the trustees in the discharge of the trust they had assumed.

"That the cases of Killarney and of Tralee have no peculiar features strongly differing from those of other banks which have suffered from the dishonesty of their officers. The Tralee bank stopped in 1848, with liabilities to the extent of 38,768*l.*, and assets amounting only to 1,650*l.*

"The Kilmarnock bank closed a few days subsequently with a liability to depositors of 36,000 *l.*, and available assets 16,582 *l.* A subscription of 1,000 *l.* has enabled the trustees to pay some of the poorest depositors 20*s.* in the pound, and there is some property of the late actuary still in the hands of the trustees.

"The bank at Auchtermoider was a small one, and no evidence has been given to Your Committee as to the cause of its stoppage. A local subscription of 700 *l.* enabled the trustees to pay the depositors 18*s.* 6*d.* in the pound.

"Your Committee cannot close this Report without expressing their conviction of the unsatisfactory state and working of the existing law in reference to savings banks. It is clear, as appears from the proceedings in the Cuffe-street case, that there is no adequate power vested in the Commissioners for the Reduction of the National Debt to check abuses and mismanagement, however admissible; and in the cases of Tralee and Kilmarnock it is no less obvious that the operation of the law has produced results which all must concur in regretting.

"The law prior to 1844 was intended to give the depositor a remedy against the trustee, in case of wilful neglect and default; but in the Tralee case it has been shown that the difficulty of the legal enforcement of their claims by individual depositors is so great as to render the remedy rarely practicable.

"In almost every preceding case of the failure of savings banks, a recourse to legal measures has been rendered unnecessary by the voluntary contributions of the trustees and others; and it is in truth rather to the exertions of those who take an interest in the welfare of their humbler neighbours than to any legal enactments that Your Committee look for the proper conduct and well-doing of these institutions.

"In 1844 the Legislature thought right to make an important change in the law, by which the trustees of savings banks were released from all liability, except where it was voluntarily assumed. This provision has in the Kilmarnock case worked in a manner obviously at variance with the intentions of Parliament.

"As the trustees prior to the passing of the Act in 1844, were liable to the then depositors, it became necessary for Mr. Todd Pratt to make a distinction between the depositors previous to and subsequent to 1844; and inasmuch as the trustees could not be called upon for any personal contribution until the funds were exhausted, Mr. Todd Pratt conceived it to be his duty to award to the depositors prior to 1844, payment of their claims in full, while the funds at his command only enabled him to award to depositors subsequent to 1844, 2*s.* in the pound on the amount of their claims.

"Your Committee have observed with much satisfaction that the Chancellor of the Exchequer has introduced a Savings Banks Bill, which is calculated to remedy several important defects in the existing law, and extends the responsibility of Her Majesty's Government to the depositors; and they therefore abstain from all observations on this part of the subject, further than to state the conviction which this inquiry has forced upon them of the urgent necessity for further legislation, if these institutions, which have acquired of late years an extent and importance so little anticipated by the original founders of Savings Banks, are to preserve their hold on the confidence of the country, or produce the beneficial results expected from them, in encouraging and rewarding the industry and self-denial of the working classes."

Question, "That the Report proposed by the Chairman be read a second time paragraph by paragraph," put, and agreed to.

Paragraph read, as follows: "That there does not appear any probability of obtaining from the trustees or otherwise any sum adequate to cover the losses of the depositors; Your Committee therefore, influenced by the considerations detailed in the preceding paragraphs, while they cannot admit the existence of any legal liability on the part of Her Majesty's Government, recommend the case of the depositors in the Cuffe-street Savings Bank to the favourable consideration of Her Majesty's Government, with a view to the adoption of some measure which should at least mitigate the extent of their loss."

Motion made (*Lord Mayor of Dublin*), at the end of the paragraph, "to leave out the words, 'at least mitigate the extent of their loss,' in order to add the words, 'which would ensure to them payment in full of the amount of their deposits.'"

Question put, "That the words proposed to be left out stand part of the paragraph." Committee divided:

Ayes, 4.
Mr. Shafto Adair.
Mr. Chancellor of the Exchequer.
Mr. Goulburn.
Sir W. G. Craig.

Noes, 2.
Lord Mayor of Dublin.
Mr. H. Herbert.

Motion made (*Mr. H. Herbert*), "After last paragraph but one, to insert the following paragraph, 'That the decision thus arrived at by Mr. T. Pratt has, in the opinion of Your Committee, inflicted the greatest injustice upon the depositors subsequent to 1844.'"

Question

Question put, "That this paragraph be there inserted." Committee divided:

Ayes, 3.
 Lord Mayor of Dublin.
 Mr. H. Herbert.
 Mr. Pagan.

Noes, 4.
 Mr. Shafto Adams.
 Mr. Chancellor of the Exchequer.
 Mr. Goulburn.
 Sir W. Graham Craig.

Question, "That this be the Report of the Committee," put, and agreed to.

Chairman ordered to report.

EXPENSES OF WITNESSES.

NAME of WITNESS	PROFESSION or CONDITION.	By what Member of Committee Motion made for Attendance of the Witness.	Date of Arrival.	Date of Departure.	Total Number of Days in London.	Number of Days under Examination by Committee, or acting agentially under their Orders.	Expenses of Journey to London and back.	Expenses in London.	TOTAL Expenses allowed to Witness.
							£. s. d.	£. s. d.	£. s. d.
John S. Armstrong	Barrister -	Mr. H. Herbert -	8 June	10 June	3	1	0 0 -	0 0 -	15 15 -
W. J. Fox -	Clergyman -	Chairman -	3 -	10 -	8	1	0 10 -	5 5 -	14 15 -
J. E. Hagler -	Solicitor -	Chairman -	9 -	10 -	3	1	0 10 -	4 4 -	10 14 -
H. S. Mayne -	Solicitor -	Chairman -	3 -	10 -	8	2	0 10 -	16 10 -	22 6 -
B. Smith -	Barrister -	Mr. H. Herbert -	12 -	14 -	3	1	5 5 -	0 0 -	14 15 -
								5 -	19 7 -

LIST OF WITNESSES.

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John Emanuel Hughes, Esq.	-	-	-	-	-	-	-	pp. 44. 66
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MINUTES OF EVIDENCE.

Lancs, 3^d die Junii, 1850.

MEMBERS PRESENT.

Mr. J. A. Smith.
The Chancellor of the Exchequer.
Mr. W. Fagan.
Mr. Bromston.

Mr. H. Herbert.
Sir W. Gibson Craig.
Marquis of Kildare.

JOHN ABEL SMITH, Esq., IN THE CHAIR.

Mr. Robert Sedborough Mayne, called in; and Examined.

1. *Chairman.*] WHAT office did you hold in the Caffe-street Savings Bank? *Mr. R. S. Mayne.*
—Book-keeper.

2. How long did you hold it?—From the year 1831; the beginning of 1831. *3 June 1850.*

3. You were appointed then?—Yes.

4. Were you appointed by a minute of the Board?—I think I was. I must have been. I think I have seen the minute myself, although I did not keep the minute book.

5. Will you be so good to explain as accurately as you can what you conceive to have been the nature of your duties as book-keeper?—The nature of my duties was to keep the depositors' accounts with the bank.

6. What books did you keep?—The principal books were the ledgers; they were made out from the day books and the repayment books.

7. Are you able to state what the system of book-keeping or account-keeping was in the bank, and the names of the principal books used?—The principal books are what I state.

8. Will you repeat them?—In the first instance, the day book; the ledger account was opened from that; the lodgment was entered in the day book, and the ledger account was opened from that first lodgment. If the depositor called for money, the notice was entered in what we called the repayment book; the following Wednesday he was paid out of that, and his ledger account was posted.

9. Debited?—Yes, he was debited in his ledger account from that repayment book.

10. Was there no cash book?—I have never seen any cash book.

11. You did not keep one?—No.

12. And you are not aware that one was kept?—I am not.

13. Can any have been kept without your knowing it?—Certainly.

14. It may have been kept without your knowing it?—Certainly. I have stated that I only kept the depositors' accounts; I had nothing to do with the cash; I was not cashier.

15. But no payments or receipts could be made without your knowing it, could they?—No, I should say not; at least they must go through my books.

16. Is it possible that a cash book can have been kept without your knowing it?—Certainly; the cashier, I imagine, must have kept one, but I do not know.

17. Did not he sit in the same room with you?—No, he generally sat in the Board-room.

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18. But had you not access thereto?—I had not access to any of his books; I never saw them.

19. But to the room in which he sat?—Yes, I had access to the room, undoubtedly.

20. Have you any doubt that he did not keep one?—My impression is that he did; that he must have done so, because he made out monthly returns for Government, and I rather think that he must have kept books for them; those monthly returns, I believe, showed what cash was received and what cash was paid during the week; this he might have done from my books, but I think he must have kept books of his own.

21. But you never saw them?—I never saw them.

22. Were your duties as book-keeper defined by any minute of the trustees?—I am not aware that they were.

23. I must ask you to give me, as accurately as you can, a description of the course pursued both with regard to the receipt of money and the payment of money in the bank; what books were used, and the mode in which it was received and paid by and to depositors?—When a depositor came his money was taken and entered by a manager in a pass book; that pass book was handed to me, or to my assistant, and I entered the money in the day book, and I have before stated that an account was then opened for the depositor in the ledger.

24. I understand that you posted the ledger, which is the technical term, I believe, from the day book?—Yes.

25. The day book was copied from the pass book?—Yes.

26. And the ledger posted from the day book; am I accurate?—Yes.

27. Now with regard to payments?—When a depositor required payment he brought his pass book; an entry was made; a notice was entered one day in the week, that is Wednesday, for repayment the following Wednesday; an entry of how much he wanted, or whether the whole, was made in the repayment book; the ledger in the meantime was posted; the sum debited to the depositor in his account, and when he came the next Wednesday he was paid the money.

28. Was his account in the ledger debited before he received the money?—It was.

29. I believe that after the stoppage of the bank you had the custody, had you not, of the books and papers of the bank?—Of the books only.

30. Where are the papers?—I know of no papers.

31. You have no others?—I know of no papers; I never had the custody of anything but the books.

32. Do you know of any other existing anywhere?—Of papers?

33. Yes.—None.

34. When Mr. Martin was sent over by this Committee to examine into the state of things last year, did you give him all the books you had?—When I say I gave them, I was in my bed at the time; Mr. Fox wrote to me for the keys, saying that the Committee were anxious that they should be delivered to Mr. Martin, and I gave Mr. Hughes the keys for Mr. Martin.

35. Was there not a pass book between the treasurer and the Bank of Ireland?—The Bank of Ireland was the treasurer.

36. Between the savings bank and the Bank of Ireland?—I do not know; I suppose there was; I cannot answer that.

37. Have you any doubt upon the subject?—I cannot form an opinion more than as a mercantile transaction; I have no doubt that there was one.

38. Did you look over the books that were given into your custody to take care of?—Yes, I did.

39. Did you never see a pass book there?—With the Bank of Ireland?

40. Yes.—Never.

41. Did not you hand over one to Mr. Martin?—I did not; a pass book with the Bank of Ireland?

42. Yes.—I did not.

43. *Chancellor of the Exchequer.*] An account between the savings bank and the Bank of Ireland?—I never saw one, to my recollection.

44. *Chairman.*] Are you at all conversant with the mode of keeping an account with a banker?—Yes; I know that a merchant gets a pass book wherein his drafts are entered.

45. Did you ever know any exception to that practice?—No, I never did.

46. Have

46. Have you any doubt therefore that that was the fact between the savings bank and the Bank of Ireland?—Indeed I have no doubt, but I never knew it.
47. And never saw it?—And never saw it.
48. Then you cannot tell me where the pass books are between May 1830 and the time of the closing of the bank?—I cannot tell where any of them are.
49. Did you ever see the vouchers or drafts drawn by the savings bank upon the Bank of Ireland?—I may have seen drafts.
50. Do you know where they were kept?—No: they were in the cashier's custody.
51. You never saw them?—I never saw them.
52. And you never posted from them?—Never; I never posted except from the day book and the repayment book.
53. You cannot give me any answer then to the question where the pass books and the paid cheques of the institution are?—I cannot.
54. Mr. Fagan.] Did not you keep all the ledger accounts?—I did.
55. Chairman.] By whose authority were the books deposited with you when the bank closed?—They remained with me; there was no alteration.
56. Then you have only custody of a part?—I was only in custody of the books which I mentioned.
57. Which are only a part?—I do not know that.
58. But you say you have no doubt that there were pass books?—I have no doubt about it that there must have been.
59. Then you have not the custody of all?—If that be so, of course I have not.
60. Have you any doubt that there were letters and various papers and accounts connected with the bank in existence at the time it closed?—Namely, books?
61. No, independently of books?—I suppose there must have been.
62. Do you know who took possession of them?—Mr. Hughes, jun. must have taken possession of any papers, for he was acting for his father.
63. If there had been a pass book, assuming that there was one for the moment, it would be in Mr. Hughes's possession, would it?—It would, I presume.
64. Did you see Mr. Martin while he was in Dublin?—No; I was in my bed, I believe, all the time he was in Dublin.
65. Have you ever seen a report made by him to this Committee?—No; I saw some addenda to the Report of the Committee of last year, a few lines I believe, as well as I recollect.
66. Did you take any part in making up the accounts annually for the Commissioners of the National Debt?—I returned Mr. Hughes the balances that appeared on foot of the depositors' accounts up to the 20th of November in each year.
67. Did you do so for the years 1829 and 1830?—No, I was not appointed till 1831.
68. Before you were appointed, who was book-keeper?—A Mr. Raye.
69. Is he living?—I do not know.
70. Do you know what has become of him since?—No; I never saw the gentleman except once, I think.
71. When did Mr. Burn cease to be book-keeper?—Mr. Burn never was book-keeper.
72. When the savings bank drew cheques upon the Bank of Ireland, was there any account of such cheques, and the application of the proceeds, kept by you or passed through your hands?—No.
73. You can give no account either of the drafts drawn, or of the application of those drafts?—No. So far as this I can state; when a cheque was to be drawn for the amount of the repayments, I gave a certificate to the cashier, which he handed to the trustees, and they drew a draft for that amount; I did it for the purpose at least, and I believe it was so done.
74. Were you cognizant of the application of the money so drawn?—I cannot say I was cognizant of it; the repayment book was marked for those depositors who came in, and any that did not come in were then put down in the day book; debited against the cashier in the day book.
75. Then you would be cognizant of that fact, because you saw the day book?—Yes; any that were left uninitialed by a trustee as paid were entered in the day book.
76. To the debit of the cashier?—To the debit of the cashier.

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Mr. R. S. Mayne.

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77. Who kept the cash?—Yes.

78. Till it was applied for?—Yes, he kept it for one week; if the depositor did not call the following week it was then debited against the cashier, and lodged by him in the Bank of Ireland.

79. Paid in again?—Yes.

80. You will see on page 10 of Mr. Martin's Report a certain list of sums received from the bank: "Received by savings bank from the Bank of Ireland, as per their account as treasurers"?—Yes.

81. You will see there the amount of the drafts drawn during the year 1831 by the St. Peter's Parish Savings Bank upon the Bank of Ireland; you cannot of course tell me now whether that is accurate or not?—I cannot.

82. But you will see in another column a list of the sums paid by the savings bank to depositors as taken from the repayment books?—Yes.

83. A sum of 104,525*l.* 4*s.* 5*d.* was drawn as by that account from the Bank of Ireland in the year 1831; it is added up?—So it would appear, from February to May.

84. And the sum of 3,263*l.* 5*s.* was repaid to the Bank of Ireland, in the manner I presume which you have described?—It would appear so.

85. You will see also that the sums paid to depositors amount to 93,729*l.* 0*s.* 8*d.*?—Yes.

86. Leaving a difference of 7,530*l.* 18*s.* 9*d.* apparently unaccounted for?—Yes.

87. Can you give the Committee any explanation of what became of that sum?—I cannot.

88. Why can you not?—Unless in this way; that it was to pay Mr. Pratt's awards.

89. Why was not it drawn for avowedly for that purpose?—I do not know; it might have been for aught I can tell: for instance, I see a cheque here for 19,400*l.*, and it appears by the repayment book, if this be correct, that there was only 16,747*l.*, the amount in the repayment book.

90. Would you like to take the repayment book in your hand; it is in the room; I think you had better?—I should remark that this was just the very time of my appointment, when I was new in the work; My recollection of the working of the bank is much later than this; it was the same system I believe then, as well as I recollect. (*The repayment book was handed to the Witness.*)

91. When were you appointed in 1831?—I was appointed in January, but I did not commence acting till February.

92. These drafts are all subsequent to that?—February the 26th was just at the very time that I commenced.

93. Will you take March the 7th?—There is a slight difference; the repayment book makes it 16,838*l.* 15*s.* 9½*d.*, about 100*l.* difference.

94. I think you will find it accurate if you look?—Yes; the part payments appear to amount to 108*l.* 10*s.*; the other was the amount of the whole payments.

95. The total sum paid to depositors was, as is here stated, 16,747*l.* 5*s.* 9*d.*; is that so?—Yes.

96. What became of the difference between 19,400*l.* and 16,747*l.* 5*s.* 9*d.*?—I do not know; if I saw the day book of that date I might be able to see whether it was applied in that way. (*The same was handed to the Witness.*)

97. Mr. Fyans.] Were those books kept by you?—Yes; that is not my writing. I beg to call your attention to sums paid by special order of the Board besides, amounting to 3,362*l.*, on that same day.

98. *Chairman.*] I beg your pardon, not the same day; the 14th of March that is?—There are some payments here amounting to 3,369*l.*; it is not the same sum as is there.

99. In this paper it is under date of the 14th of March!—This was done in the middle of a run; they are not entered in the regular course of business.

100. But you said that upon reference to the day book you might be able to account for the great discrepancy between 19,400*l.* on the 7th of March, and 16,747*l.* 5*s.* 9*d.* paid on the same day?—It does not appear from the books that the system I stated was adopted at that time.

101. What system do you mean?—Of entering in the day book.

102. What?—The surplus over and above what the depositors called for and what was paid, the difference.

103. If

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103. If you look down those payments in the paper which you hold in your hand, you will see discrepancies in a great many of them?—I do. I see in some instances that the amount in the repayment book is more than the amount of the draft.

104. I drew your attention to it on purpose; there is no doubt therefore that the money was kept in the bank in those cases to repay it when it was wanted?—I should say so; referring to the time, it being a run, I suppose they kept a good deal of money in the bank without any regular system of payment.

105. But the result of the whole is, that they drew in the year 1831, 7,530*l.* 18*s.* 9*d.* more than the books show to have been paid to depositors?—So it would appear.

106. You can give no account of that?—I cannot.

107. Can you give any reason why if it was paid to the persons claiming under Mr. Tidd Pratt's award, it should not have been stated fully in the books?—No, I cannot. Mr. Tidd Pratt's awards never entered into those books. I rather think that they were paid by draft of the trustees.

108. What debit did they go to when they were paid?—I do not know; they never entered into my books at all.

109. When you undertook the office of book-keeper, did you keep new ledgers?—Yes.

110. A new set of books altogether?—A new set of books altogether.

111. And did you never touch the old ones at all?—Except for repayments; we never added a lodgment; we never added to them; we subtracted from them according as depositors came in.

112. Then if that 7,530*l.* 18*s.* 9*d.* had been used in paying the claims under Mr. Tidd Pratt's award, you would have debited those payments to those accounts in the old ledgers?—No, I should have made no entry whatever of them; they did not pass through me.

113. I understood you to have stated that you did debit those that were paid under Mr. Tidd Pratt's awards in the old ledgers?—No. I did not mean to imply that.

114. Did anybody do so?—Not in the ledgers. I say Mr. Pratt's awards never went through the ledgers at all; they were merely depositors' accounts in the ledgers. Mr. Pratt paid those who were not depositors.

115. I am assuming that you intend to tell us everything; may I ask you to be careful in your answer. The old ledgers I understand perfectly to have reference to Mr. Tidd Pratt's awards, and I understand also that you never in those accounts credited them with any further lodgment, because you had opened new accounts for the parties in the new ledgers?—I never meant to say that the old ledgers had anything to do with Mr. Pratt's awards.

116. But had not all the awards of Mr. Tidd Pratt reference to the accounts of the old ledgers?—No; Mr. Pratt's awards were of two kinds. The first and the greatest were, persons who never had accounts in the bank at all, or whose accounts were previously drawn from the old ledgers who had had accounts.

117. And fraudulently closed?—And fraudulently closed.

118. Then the only accounts in the new ledgers which had reference to Mr. Tidd Pratt were those which might be termed illegal deposits?—No; the new ledgers had not anything to do with Mr. Tidd Pratt at all; they were depositors that came in subsequently to my appointment.

119. Were any accounts of depositors previous to 1831 included in the new ledgers?—None.

120. The new ledgers contained only the name of those who came to open accounts subsequently to 1831?—Yes; they were connected with the old ledgers in this way: when a depositor came to lodge in his own pass book which had reference to those old books, we refused to take his lodgment in it; we gave a new pass book and entered it in the new ledgers, he having an old pass book; if it turned out to be right, we transferred the amount of it to the new ledger, and entered the amount in his new pass book.

121. But the disputed claims, or the claims arising out of the fraudulent transactions previous to 1831, never came into the new ledgers?—No.

122. Did you make out the account which was submitted to the National Debt Office in 1831?—No.

123. Who did?—Mr. Hughes, senior.

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124. Did you give him the means of doing so?—I did.
125. Have you any means of telling us what you gave him to make the account out from?—I gave him an abstract of the balances that appeared on the foot of the ledgers.
126. Do you recollect what that statement showed?—I do. I recollect that the old ledgers showed about 47,000 *l.*, and my recollection is that the new ones were about 68,000 *l.* on the 30th of November 1831.
127. What was the result of that, as to the state of the bank?—I could not tell the result, unless I was told what the amount of cash to the credit of the trustees was. I do not know the amount then, but I understand there was not cash to pay the 47,000 *l.* by, I believe, between 20,000 *l.* and 21,000 *l.*
128. Then there was in no book which you had access to any statement of the sums due to the savings bank by the National Debt Office?—None.
129. And no account kept of cheques drawn on that account?—Not by me.
130. Will you look in the paper which you hold in your hand, to page 11, Statement No. 2, you will see that there is drawn from the treasurers, on the 12th of July 1832, 500 *l.*?—Yes.
131. And on the 10th of August, 855 *l.* 8 *s.* 4 *d.*?—Yes.
132. Making together, 1,355 *l.* 8 *s.* 4 *d.*?—Yes.
133. Can you tell us what those cheques were drawn for?—I cannot.
134. Will you look in the repayment book, whether you gave any notice for such cheques?—I should not say they could be cheques for repayment, or else they would be larger. On the 28th of November the cheque ought to have been 1,350 *l.*
135. I dare say it was; I do not say it was not; but I am drawing your attention to these two particular cheques?—I do not see similar amounts here.
136. Therefore those were drawn without any notice from you?—I presume they were.
137. And you do not know what was done with them?—No.
138. Do you know who received them?—No.
139. You know nothing about them whatever?—No. The cheques never passed through me.
140. Have you any suspicion?—Not the slightest; unless they were for the expenses of the bank, current expenses, or something of that kind.
141. The current expenses could not be so large as that in the year, could they?—Not at that time, I should say.
142. Were the current expenses ever so much as 1,100 *l.* in one year?—No, I think not; I was taking separate years, 500 *l.* and 655 *l.* I see they are in the same year. The expenses, I believe, never were such.
143. Have you any idea what that could be for?—Not the slightest.
144. Will you be so good as to turn over the page, and go to the year 1834, which is at page 12. I understand you to say that you know nothing about the sums received, drawn by them, from the National Debt Office?—Nothing.
145. You never saw them?—No.
146. And find them in no book?—I gave a certificate for the amount that ought to have been drawn, and I believe it was drawn.
147. Will you just tell me what certificate you gave for the draft which was drawn on the 7th of May 1834, for 2,388 *l.* 18 *s.* 1 *d.*?—For repayment?
148. Yes, for repayment.—I must have given a certificate for 1,695 *l.* 18 *s.* 11 *d.*
149. Look again?—That is so; the 7th of May 1834.
150. No more than that?—No.
151. On the 30th of April how much was deposited in the bank?—£. 1,251. 4 *s.* 9 *d.*; it appears that there was a receipt produced for it.
152. Whom was the receipt signed by?—Signed by a manager named Thomas Hill.
153. Can you tell us what was done with that money?—It was lodged in the Bank of Ireland.
154. How do you know?—Because there is a certificate here of the manager that the receipt was produced.
155. A receipt from the Bank of Ireland?—Yes.
156. Where is that receipt?—I cannot say; neither cheques nor receipts passed through me; the document here would show that it was.
157. And you know nothing at all of the mode in which that was paid into the bank?—No.

158. By

158. By whom would it be paid in; by Mr. Hill?—No, by Mr. Hughes, the cashier; he produced that receipt, and the manager checked it as having seen it, and agreeing with the book as it ought to do.

159. Can you give the Committee any reason why the cheque drawn on the 7th of May, instead of being 1,600*l.* and odd, as you state was required, was 2,288*l.* 18*s.* 1*d.*?—I cannot.

160. Then you do not know why that sum does not appear to have been paid into the bank?—I do not.

161. What was Mr. Hill?—Manager.

162. He was only in possession of the receipt; Mr. Hughes paid the money actually into the bank?—Yes; the Committee met monthly; I do not know whether they did at that time; they generally met monthly, and checked the cashier's accounts; he should produce a receipt from the Bank of Ireland for the amount of the lodgment book wherein he was debited with the money received from depositors, and the money lying over from the repayments that were not called for.

163. Sir *W. G. Craig*.] Have you ever seen any of these receipts from the Bank of Ireland?—I do not think I ever saw one; yes, I have seen them occasionally, but they never passed through me.

164. Was it a separate receipt which was taken for each lodgment, or was it done by a cash book?—I think the cashier, the day after the lodgment, lodged a round sum. When the book was made up accurately, adding the repayments that had been uncalled for on the Wednesday, the subsequent day he lodged the remainder, making the total sum that the book was totted for.

165. But was that receipt a separate receipt, or was it an entry in a cash book?—It was a separate receipt; a receipt for the round sum and a receipt for the balance; it should be separated.

166. And there was no cash book which passed between the savings bank and the Bank of Ireland?—I think there must have been, from the usual way of business with a merchant or any person keeping an account there; I suppose there was, but as I say, I never saw it.

167. You said you had seen those receipts from the Bank of Ireland?—I have seen them frequently.

168. In what form were the receipts which you have seen; were they separate pieces of paper?—Separate pieces of paper.

169. What would have been the use of separate pieces of paper if there was a cash book?—None that I know of.

170. *Chairman*.] They were what are called common bankers' receipts?—Just so; if I go to lodge money in a private bank they give it me.

171. Will you be so good as to refer to the transaction on the 28th of May 1834 in your lodgment book; what were the amounts of lodgments on the 28th of May?—£. 796 5*s.* 9*d.*

172. You cannot give us any explanation whether that was paid into the Bank of Ireland, or not?—Yes, it appears to have been.

173. Paid in?—"Receipt produced for 796*l.* 5*s.* 9*d.*;" the halfpenny is not there; "6th of June 1834, John L. Wharton."

174. Would you be surprised if the entry was 196*l.* 5*s.* 9*d.* in the bank book?—It must be wrong.

175. You cannot give us any reason for that discrepancy?—I cannot; it must be a mistake; it is not only in figures, but in writing; the manager's writing.

176. You cannot give us any explanation of that?—I cannot.

177. Can you tell us how much, on the 3d of June, you noticed for to be drawn?—The 4th of June.

178. The 3d of June I have it here?—It should be the 4th; the draft was drawn on the 3d; 1,695*l.* 14*s.* 11*d.*

179. Can you give us any explanation why they drew for 2,202*l.* 19*s.* 7*d.* on that day?—I cannot.

180. Then in fact it is unnecessary to go through at present a long statement of these difficulties which we find in the accounts, because you can give us no explanation of them?—If they are similar to these, I can give you no explanation.

181. I will ask you to go to the year 1836, the middle of page 14; during the

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the period from the 14th of May to the 16th of July the trustees appear to have drawn for the sum of 3,450*l.*?—Yes.

182. Was that done under notices from you?—I cannot say without seeing the repayment book.

183. Will you look at it?—The first of them I should say was not for repayment, because the repayment day of that week was the 18th of May; the cheque ought to have borne date either that day or the day before.

184. Therefore it could not have been noticed for?—It was not money noticed on that day, because the amount noticed was 1,714*l.*

185. Will you go to June the 8th?—The day was June the 8th.

186. Therefore it could not have been noticed for?—It could not.

187. Go to the 17th?—The day for repayment was the 15th.

188. Therefore the 17th could not have been upon a notice?—I should say not.

189. Go to the 24th?—The day of repayment was the 22d.

190. Go to the 30th?—The day of repayment was the 28th.

191. July the 15th?—The day of repayment in that week was July the 13th.

192. July the 16th?—That could not be for repayment, because the amount was 1,638*l.*, and the day of repayment was the 20th.

193. In the ordinary exercise of their duties as trustees, had the trustees any call or necessity whatever to draw cheques on the Bank of Ireland, except upon notices from you?—Yes; they had to draw cheques for the officers' salaries, for rent, for taxes, and incidental expenses.

194. Those are all small amounts?—The officers' salaries are not small.

195. What do you call them?—Of late years, they amounted, I think, to 450*l.*

196. In the year?—Yes. At that time they did not amount to so much.

197. Therefore 3,450*l.* could not be either for salaries or for incidental expenses?—No; I do not know as to incidental expenses.

198. They could not be so large as that, could they?—I should say not.

199. Is it possible?—Certainly not; I should say not.

200. Can you give us anything to guide us to the application of those large sums?—No; they might have paid out of them monies to persons that had claims on the bank similar to those that Mr. Pratt awarded; for after his going away they paid many according to the principle that he acted upon.

201. But you do not know anything about the application of them?—No.

202. I will just draw your attention, for form's sake, to 1837. On the 14th of December 1836, do you know anything about a cheque for 450*l.*, at page 15: "Drawn from treasurers, as under; 1836, December 14, by cheque, No. 26, 450*l.*"?—I do not.

203. Was that noticed for by you?—The draft for repayment should have been considerably greater.

204. Then you know nothing about that cheque?—I do not.

205. Will you look to the 29th June 1837?—The 28th is the repayment day.

206. Therefore the 29th could not have been a cheque for repayment?—No.

207. Go to September the 7th in the same year?—September the 6th was the repayment day; the amount of the cheque for repayment was considerably above the one I see here.

208. Go on to 1838; you will see "Drawn from Treasurers, 1838, February 8, by cheque, 715*l.* 10*s.* 4*d.*;" that is in the next account, statement No. 8, in the middle of page 15; see if you gave notice for that?—The repayment day was February 7th.

209. Did you ever see the minute book?—I glanced at it; it was never in my custody.

210. Did you ever see the report of the superintending committee of the 27th of February 1839, or at any other time?—I am not aware that I did.

211. Are you aware that the superintending committee in February 1839 reported that they "think it right to apprise the trustees and managers that there does not remain at present any unsatisfied claim upon the institution, whether from depositors or other persons who had lodged their money or otherwise during the periods previously to the year 1831"?—I am not.

212. You never heard that before?—I may have heard it.

213. But

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213. But you do not recollect it?—I do not; but I should say that it had reference to any claims made on them; what we call the special claims, unsatisfied persons.

214. Did not it include both the depositors and those whose deposits had been fraudulently made away with by Mr. Dunn?—I should say it never could have been intended, because it was not the fact.

215. Do you know that it was not true that all the claims were satisfied in February 1839?—All the special claims I dare say might have been; there were no claims; although there was a deficiency the depositors were not aware of that, and they made no claim; therefore I should say it was, from that.

216. Then you do not think that it means that all the claims existing in 1831 had been discharged, but only those which had been the subject of Mr. Tidd Pratt's awards or examination?—Yes.

217. Only those?—I go farther than that; because, as I said before, after Mr. Pratt went away there were numerous claims made, but they were satisfied by the trustees on the principle on which Mr. Pratt made his award.

218. Do you know how much more the claims made after Mr. Tidd Pratt's visit to Dublin amounted to?—I do not; but if my recollection serves me, there were about 10,000*l.* more.

219. Than were noticed in Mr. Tidd Pratt's awards or examination?—Over and above Mr. Tidd Pratt's awards.

220. Do you believe that those were included in the settlements which had taken place previously to February 1839?—I suppose they were.

221. The depositors previous to 1831, who had not made claims, and had not been the subjects of award by Mr. Tidd Pratt, I understand you had their balances transferred, when they were believed to be accurate, into the new ledgers?—When they required it.

222. Then when they called for the repayment of any part of their money, that repayment would take place in the ordinary course of business, and come under your eye?—Yes.

223. Therefore subsequently to February 1839 there could be no reason for drawing any cheques, except for deposits noticed for in the usual way, and for the current expenses of the bank?—I should say not.

224. Will you be so good as to turn to the 19th of June 1839 in the repayment book; what sum was noticed for to be paid that day?—£. 1,600. 4. 8*d.*

225. Can you at all explain to the Committee why the trustees drew for 2,810*l.* 4*s.* 8*d.* on that day?—I cannot.

226. Or what became of that difference?—I cannot.

227. Will you look on the 10th of July 1839, and tell me what was noticed for or paid to the depositors?—There was noticed for to be paid on the 10th of July 1839, 1,368*l.* 18*s.*

228. Can you tell the Committee why the trustees drew on that day for 2,068*l.* 18*s.*?—I cannot.

229. Where did Mr. Hughes keep his cash?—He had a safe to keep it in.

230. Did you never see it?—Constantly.

231. Did you know what money he had there?—Never.

232. Did he keep large sums there currently?—I do not know; they must have been fluctuating sums; he kept the money that was uncalled for one Wednesday till the next; it was not lodged till the following Wednesday permanently.

233. The same discrepancy between the sums noticed for and the sums drawn for exists in the years 1840, 1841, 1842, and 1843, amounting altogether to the enormous sum of 9,569*l.*, of which there is no record in the repayment book; can you give the Committee any idea what those drafts were for?—I cannot.

234. Or what became of the proceeds?—All I know is, that I merely gave a certificate for the amount of the repayment book, and I believe the cheque that was drawn for that corresponded.

235. Why do you believe it?—Because the gentleman that checked last, my certificate was given to him, and I have every faith in his correctness.

236. Who was that?—Mr. Joseph Farran; he, signing last, always kept my certificate as a voucher.

237. And did he draw the cheques?—No, the cheque was filled up, I believe, by Mr. Hughes; it was signed then by a trustee, and finally signed, or rather as regards trustees, it was signed, by Mr. Farran, who, as I say, kept my voucher.

O.49.

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238. And

Mr. R. S. Mayne.

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238. And did he sign every cheque, do you think?—I believe he did, such as I speak of; I do not know anything of the other cheques whatever.

239. Did you always see the cheques that were drawn?—No; I may say that I never did except casually.

240. Then it is merely your confidence in Mr. Farran's accuracy that makes you take that view?—It is.

241. What is Mr. Farran?—He is nothing now; he held a situation in the Court of Exchequer and is now supernumerary.

242. Where does he live?—At Rathbar.

243. Is he a very old man?—A very old man; about 90; the last time I saw him he told me that he was within a year and some month of 90; that is a year ago I believe, nearly.

244. He has independent means?—Very, I believe; he has a very fine superannuated income.

245. He was one of the trustees?—He was.

246. You state that you believe he always signed every cheque?—I believe he did latterly?—I do not know whether it was from the year 1831; latterly I believe he always did; I have seen him go there on a Tuesday for the mere purpose.

247. Of signing the cheque?—Yes, for it was always left to him to sign the last, and he kept all my vouchers.

248. Subsequently to what date do you think he always signed the cheques?—For years back; I could not say.

249. But subsequently to 1838?—I could not say, because I might not be in the bank at the time; I left my vouchers, and did not mind what time he came.

250. But do you believe that he always signed the cheques in the year 1839?—I really could not say how far back.

251. I understand you, that you found your belief in the agreement between the drafts drawn and the amount noticed for by you on your confidence in the accuracy and character of Mr. Farran?—Yes, and that he would not sign a cheque unless he had my document for the amount.

252. Tuesday was the day on which those cheques always were signed; was it?—Yes, or the Wednesday morning; if he was not to be found on the Tuesday, probably Mr. Hughes had to go up to his house on the Wednesday morning.

253. Then a cheque that was not signed on the Tuesday or the Wednesday morning, Mr. Farran would have nothing to do with probably?—I do not know as to that.

254. But you do not know that he would?—I do not know that he would.

255. Mr. *Brampton*.] Was the signature of one trustee sufficient?—No; Mr. Farran signed last; there must be two. I do not know whether the second must be a trustee or might be a manager.

256. But Mr. Farran always signed last?—I believe so.

257. *Chairman*.] There is a transaction in 1843, to which I would draw your attention, at page 18; can you at all tell me (I suppose you cannot, as you know nothing about the treasurer's account with the bank,) why there appears in the year 1843, to have been a loss unaccounted for in the transactions between the Bank of Ireland and the savings bank of 798*l.* 10*s.* 5*d.*; there was less paid in than received, 2,093*l.* 12*s.* 1*d.*; and there was more paid in than received, 1,294*l.* 12*s.* 8*d.*, the balance being unaccounted for; can you explain that at all?—I cannot.

258. You know nothing, in fact, of the transactions between the savings bank and the Bank of Ireland?—No.

259. To the best of your belief, Mr. Hughes is cognizant of those?—He ought to be; Mr. Hughes, junior, from the time of his father's illness.

260. Mr. *Fagan*.] When was that?—I think the latter end of 1843; I was altogether beside the cashier's business; mine was strictly book-keeper's.

261. *Chairman*.] On the 15th of June 1840 there was the sum of 226*l.* 10*s.* not paid in at all; you know nothing about that?—No; was it received from depositors?

262. Yes; be so good as to look in page 16 to the note appended to the statement No. 10; who is the "D. O." referred to in that note?—Darragh Osborne.

263. Who is he?—He was a trustee.

264. Is he dead?—Yes.

265. What

265. What was he?—He was called Captain Osborne; whether he was captain or not, he was in the army, on half-pay.

266. In the latter end of 1843 and the early part of 1844 did not the savings bank cease to use to a great extent the Bank of Ireland as their treasurer, keeping the money in their own hands?—Yes, after Mr. Hughes's illness they retained it.

267. In reference to the practice of the bank not to pay sums of money into the Bank of Ireland in 1843 and 1844, do you know why they ceased to pay money into the Bank of Ireland?—I do not, more than this, that I suppose it was from Mr. Hughes's illness; he held the situation of agent between the trustees and the Commissioners; and it would require a new agent to be appointed while he was so ill.

268. Was he obliged to sign the cheques?—I believe so; yes, he always did.

269. Is that what you mean by a new agent being requisite?—No; any person might lodge the money in the Bank of Ireland; but it would not be lodged with the Commissioners for the Reduction of the National Debt, to interest, without the intermediate mediation of an agent; that is the officer named in the Act, I believe.

270. After Mr. Hughes was ill, he could give no authority to the bank to receive the monies?—He was too ill to do anything; it was not till he was able, I believe, that we resumed; at least I think it was so.

271. Did he resume his duties as agent?—He did; he always drove to the Bank of Ireland, but his son brought the document from him into the bank; he sat outside in his carriage.

272. Can you at all account for the great discrepancies in 1844 between the receipts and the payments?—No. I do not think there was any run in 1844; the run was not till 1845.

273-4. But there is the sum of 3,088*l.* 11*s.* 7*d.* which appears unaccounted for that year?—I do not recollect any such thing.

275. Did you ever bear of it?—No.

276. And I suppose you will give me the same answer both with regard to 1845 and 1847; you know nothing about the deficiencies between the monies paid in and what appear in your books that ought to have been paid in?—Just so.

277. Do you know anything about 1848?—No; no more than I have stated.

278. Are you sure that you know of no books of accounts, or minute books, besides those found by Mr. Martin when he received the key from you?—I am. I never had the custody of the minute books; he did not get them from me.

279. Whom did he get them from?—I do not know that he got them at all; I do not think he did. I rather think that they were handed in to this Committee last year by Mr. Hughes; I heard him say that he brought them over, and that he left them here.

280. The Committee having got all the books that were in your custody, have, as far as you know, got all the books that were in existence in relation to the bank?—As far as I know.

281. At all events we have got all the books which record the transactions in which you were concerned?—You have.

282. Will you be so good as to turn to page 41 of the paper which you hold in your hand. Can you give the Committee any explanation of the last drafts that were drawn when the bank closed, those at the bottom of the page; if you turn over the page you will see what I mean?—I see a great number of items here.

283. What do those items refer to?—They refer to payments made to depositors.

284. Were they noticed for?—They were entered in the repayment book.

285. Were they noticed for?—I do not know the date of this.

286. Were there no sums paid at the close of the transactions of the bank that were not noticed for?—There were, not regularly noticed for; they were entered as noticed for.

287. Whom by?—By Mr. Robinson.

288. Who is he?—He was my assistant.

289. Who ordered him to do it?—I do not know that there was any regular order made at the time; it was rather an understanding.

290. What was the last cheque drawn?—It was about 1,000*l.* I think.

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291. What was done with it?—It was paid, I believe, in the way that I see here.

292. Who is Mr. Bessonnet that is referred to there?—I do not know; he never belonged to the bank. I have seen a Mr. Bessonnet in the bank, but I do not know to what that refers; he is a barrister, a Queen's counsel.

293. Did he receive any part of that 1,900*l.* for himself or others?—Not that I am aware of; I do not see his name here.

294. What is "Paid Mr. Mayne 538*l.* 19*s.* 9*d.*"?—It was paid to me to pay depositors.

295. Who were they?—It was one depositor; there happened to be two books.

296. Who was that?—The name was Maguire.

297. I see again, "Maguire 490*l.* 7*s.* 3*d.*" at the close of that memorandum?—I do not know what that is; I received 538*l.* here; I presume it is what I received; I did not think it was so much.

298. Who was Mr. Maguire?—I cannot say; he was a very old depositor; it was his wife that I have seen there; I never saw himself, but it was generally in his name.

299. Who ordered you to pay it?—No person; I had the allowance of the trustees to do so.

300. Did you apply to them for it?—Yes; I cannot say that I made a regular application; but at the time of the closing of the bank it was in fact an understood thing that we were to apply any money we had, to friends that we knew.

301. Then you were a friend of Mr. Maguire?—No, I never saw Mr. Maguire; I knew the deposit to have been a very long time there; she had great trust and confidence in me, and I did not wish her to lose her money.

302. Was she the wife of the depositor?—I believe so; it was lodged in his name, as well as I recollect.

303. And it was never noticed for?—No, it was entered as noticed; we did not know that we should have funds to meet it, and it was not regularly noticed.

304. I see, "Paid to Mr. Robinson;" is that paid your clerk?—Yes.

305. What did he receive it for?—In like manner.

306. To pay some of his friends?—Yes.

307. Without any notice?—Yes.

308. Then there is "Mr. Fox for Gammell;" is that Mr. Smyth Fox?—Yes.

309. A trustee?—Yes.

310. The other sums are for so many depositors, friends of the trustees?—I suppose so.

311. I see there is a balance of 503*l.* 8*s.* 9*d.* struck; there is 1,394*l.* 8*s.* 9*d.* paid?—Yes.

312. And I suppose 1,897*l.* is the amount of the cheque, is it not?—I suppose it was; about 1,900*l.*

313. There is a balance of 503*l.* 8*s.* 9*d.*; do you know what became of that?—Yes.

314. What became of it?—I got some money; I suppose it was that balance.

315. What did you do with it?—I paid divers things that were paid after the bank closed.

316. What do you call "divers things"?—There was rent paid; there were sums paid to depositors that lodged their money on or after the 19th of April, that were not included in our day books.

317. What is the meaning at the bottom of that memorandum, of "Paid Mr. Mayne. Handed over to Mr. Harman 509*l.*"?—That is the money I am speaking of.

318. Then you are not talking of the 503*l.* 8*s.* 9*d.* above?—It does not appear to be the same sum, but I believe it is the same sum.

319. Whose handwriting is this memorandum in, of which this is a copy; do you know?—I do not know.

320. Did you never see it?—No.

321. You never kept any account with these persons?—No.

322. Did you debit them in the bank books?—They are entered in the repayment book, as I say, by Mr. Robinson.

323. And posted from thence into the ledger?—No;—yes, they were.

324. That at the bottom is the way of accounting for Mr. Robinson's

167*l.*

167*l.* 12*s.* 4*d.*, paid him at the top of the page; is not it?—It must be, for the figures are identical; I do not know more than that the sums agree; it says, "Paid Mr. Robinson."

325. Do not you see that the "Paid Mr. Mayne," refers to the explanation of the way in which you disposed, or were to dispose, of the 538*l.* 19*s.* 9*d.*?—Yes.

326. Is that the way in which you did dispose of it?—It is, if that be the sum; I presume it is.

327. Have you any papers or documents with you to show whether that was the sum or not?—No.

328. Mr. Fagan.] Is Clare's one of the sums you paid?—No, I never paid Clare; I believe I recollect what you refer to; Clare's money never came into the bank at all; I refunded him his money; he wanted to lodge it about the time the bank was closing.

329. Chairman.] Then it is not true that you received from the bank 338*l.* 19*s.* 9*d.*?—It is true; I presume it is true.

330. But Mr. Clare's money made no part of it?—No.

331. Then it would not be right to debit you with 44*l.* as having paid Clare?—I certainly paid Clare 140*l.*, as well as I recollect the sum, but not monies belonging to the bank; it was money that he intended to lodge in the bank, and we at the time refused to take any lodgments; we could not tell him we were going to close, so I had to keep the money; he insisted upon our keeping the money; he thought I lodged it, but I returned it to him afterwards.

332. You do not know at all what the 44*l.* paid Clare is?—It is a portion of the 140*l.*

333. I wish you would explain what you mean?—A depositor came one lodgment day with 140*l.* in sovereigns; I told him the funds were high, and that it was better for him not to lodge. The time I am referring to is when the bank was about to close, and we did not choose to take money; we refused to take the money, and I wanted him to take it home; he said he had no place to keep it; I then said I would keep it till the following bank day, in the meantime to consider. On the following day I believe he took 100*l.* of it and did buy into the funds; I speak from recollection; a portion of the surplus, I think, was 2*l.* 10*s.* he came to me for, saying he was in immediate want of some money. After the bank closed I sent him the balance by one of my assistants.

334. That 44*l.* could not have formed part of the cheque of 1,897*l.*?—No.

335. Therefore that is erroneous, if so stated?—If so stated it is; I do not think it is so stated.

336. The cheque is for 1,897*l.*?—The fact is it had nothing whatever to say to it, if that be the name of the person I mean; but it is only from recollection that I say I think his name is Clare. It does not appear by this that I am connected with this Clare at all; I only presume that it is so.

337. It appears so far as this, that in the first part of the account it is stated that they gave you, out of the cheque of 1,897*l.*, 538*l.* 19*s.* 9*d.*; look at it?—Yes, I see; I know.

338. And they account for that 538*l.* 19*s.* 9*d.* below; do you see that; "White, 2*l.*; Ditto, 2*l.* 12*s.* 6*d.*; making 4*l.* 12*s.* 6*d.*." "Maguire, 490*l.* 7*s.* 3*d.*."—That may be the case.

339. It is quite clear that that money of Clare's is there represented to have formed part of the draft handed over to you?—I have said more than once that I believed that Clare was identical with the person who handed me 140*l.*; now I do believe that that could not have been so, because it formed a portion of that money which was given me, 538*l.*; it must have been another person.

340. Of the same name?—I do not know; I do not recollect; I only speak from recollection of the name of the person who gave me the 140*l.*

341. Have you any reason to doubt that this is accurately stated; that you, disposed of that money in that way?—I recollect giving small sums to Mrs. White; I recollect giving large sums to Maguire; I do not recollect the circumstance about Clare: if Clare is found in the repayment book, it must have been some other person.

342. With respect to the balance that was ultimately handed over to you, which you have stated yourself to have kept and expended for the purposes of the bank, did you spend the whole of it?—All but about 3*l.* or 4*l.*

343. I want for a few minutes to ask you some questions about the annual

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accounts; we have been led to believe that you supplied the elements under which those annual accounts for the Commissioners of the National Debt were made up?—I supplied the elements from which they should have been made up.

344. Have you any record of what you did supply at any time?—Yes.

345. Where?—I have a record of one year, that I saw very much canvassed; I have it with me in London, but not in my pocket.

346. Can you bring it to us?—I can.

347. *Mr. Fergus.* What year is it?—1844; I saw considerable discussion about it, so I brought it.

348. *Chairman.* Have you any others at home?—I have at home; not in London.

349. Can you get them by sending for them?—I should think I could.

350. Can you tell us from recollection anything about that of 1844?—Having seen some controversy about that year, I compared my document with the printed statement that I saw in last year's account, and I saw that it differed considerably.

351. Do you know who made the alterations?—I do not know. I handed my document to the registrar, Mr. Hughes; it was his duty to make out the annual account; I merely supplied the abstract from the ledgers.

352. All you did in reference to the annual accounts was to supply the amount appearing to be due to depositors on a given day in the ledgers?—Exactly.

353. Mr. Hughes's business was to add to that account the assets of the savings bank, whether in the hands of the National Debt Office or of the Bank of Ireland, or in the house?—I should say so, according to the form.

354. But you had nothing to do except giving an accurate account of the money appearing to be due to the public in the ledger?—Yes, classifying it according to the forms required by the Commissioners; by the Act rather.

355. Did you make out the classification for the year 1844?—I did.

356. Is that classification which is in the Report of this Committee of last year the same classification as you handed in to Mr. Hughes?—It is not the same.

357. Do you see anything peculiar about that classification?—Yes, I see one item, for instance, that cannot be correct: "400 depositors, whose respective balances, &c., were above 100*l.*, and not exceeding 200*l.*"; the total is stated to be 57,000 *l.* odd; they must have amounted to 60,000 *l.*

358. That was not an error of your making?—It was not.

359. You do not know who did it?—No.

360. Is there any other error that strikes you there?—This must be the same as the book which I saw; there are other errors.

361. Before you go, I will give you an opportunity of doing that which you ought to wish to do, and that is, to give the Committee any suggestions or information which you can to lead them to ascertain the exact facts with regard to the serious discrepancies, falsifications, and errors which are to be found in the accounts of this bank; have you anything to say upon that?—I have not. As regards what you were just speaking of, I believe it was done (I speak of the year 1831, and I do not exactly know how to do it,) between the managers and the Government. The Government were aware of a deficiency in the year 1831; there were negotiations between them; and I always understood that the accounts should be made out in a particular way, so as not to show the actual deficiency; and I suppose it was according to that understanding that the accounts were so made out.

362. Would that explain such an error as that which I have now drawn your attention to in the classification of deposits?—No; to have done the thing properly, if I may so say, they should have deducted something off the numbers also; in fact it was an endeavour to show that the liabilities of the bank were not so much as they were. I always heard that there was an understanding with the Government that they should not be seen to be so great.

363. Would that motive excuse discrepancies between the Bank of Ireland account and the savings bank books?—No, I should say not.

364. Therefore any errors of that kind could of course have no reference to any excuse or motive of that sort?—I should say not.

365. Have you no suspicions of any grievous errors in the books?—In the books of the Bank of Ireland?

366. Generally in the books of the bank?—No. I believe it all arises previously to my entry in 1831.

367. And

367. And you do not believe that there was any money improperly abstracted subsequently to 1831?—No, certainly not. I believe it is the accumulation of that debt, that is the incubus now.

368. What was the whole amount of that debt?—I cannot say. It was ascertained in November 1831 to be between 20,000 *l.* and 21,000 *l.*

369. Do you believe that to be the whole amount?—No; so far as it was ascertained.

370. Do you believe that more existed?—I do. I have stated, I think, that I believe there were 10,000 *l.* besides Mr. Pratt's second class of awards.

371. How much would that make it?—I believe his second class of awards were about 4,000 *l.*

372. That would be 14,000 *l.*?—£. 14,000.

373. And how much was his first class of awards?—I believe between 7,000 *l.* and 8,000 *l.*; 7,500 *l.* at all events, but they were paid before.

374. At all events it would make those claims, both of the one class and of the other, less than 25,000 *l.*?—At that time. There is the accumulation of interest and compound interest since.

375. Would that account for the deficiency when the bank closed?—I do not know.

376. Do you know what the deficiency was when the bank closed?—I do not exactly know.

377. Did you never make up the books afterwards?—They never were made up since the 20th of November 1847.

378. Since the bank stopped, no steps have been taken to know what the bank really owed to the depositors?—Except by Mr. Pratt.

379. Not by the trustees, nor any officer of the trustees?—Except in conjunction with Mr. Pratt.

380. Do you know what Mr. Pratt made it?—No. I heard it was upwards of 40,000 *l.* I believe it was 50,000 *l.*; from 40,000 *l.* to 50,000 *l.*; that is while Mr. Pratt was there, and since Mr. Pratt went away.

381. Supposing you were told that it exceeded 60,000 *l.*, would that excite in your mind any impression unfavourable to the management of the bank during the interval?—No. I believe there to be a deficiency of 60,000 *l.*, comparing the amount which they owed in November 1847, and what I heard was the amount of assets. I believe it would be perhaps above 60,000 *l.*

382. As you are conversant with book-keeping, taking 25,000 *l.* at compound interest at 3½ per cent., what would it amount to; what was the interest you allowed?—Up to November 1844 it was 3½ per cent. We were allowed 3 *l.* 16 *s.* per cent.; we paid 3 *l.*

383. From 1844 you were only allowed 3 *l.* 5 *s.*?—We were allowed only 3 *s.* 5 *s.*; we paid 2 *l.* 17 *s.* 2 *d.* to the depositors.

384. At the highest rate before 1844, what did you allow depositors?—£. 3. 6 *s.* 8 *d.*; 3½.

385. At 3½ per cent., would the deficiency that existed in 1831 at compound interest have amounted to 60,000 *l.*?—I could not say without going into a calculation upon the matter.

386. Would it come near that?—I do not know, for I do not know the amount of the deposits.

387. And you have no information to give the Committee which can at all direct them in their inquiries as to how this great loss occurred, and what became of those monies which were drawn, and which were not accounted for in the bank books?—No.

388. Mr. Fegan.] Your belief is that it all arose out of the defalcation previous to 1831?—Yes; I never heard of those drafts before this day; I always understood and believed the deficiency to be the debt of 1831, with the accumulation of interest; that is, the debt ascertained in 1831, and added to by subsequent claimants.

389. What was the debt ascertained in 1831?—In November 1831 it was, as I recollect, from 20,000 *l.* to 21,000 *l.*

390. Do you know the amount of the subsequent claims besides that?—I think about 10,000 *l.*

391. Chairman.] That would make 31,000 *l.*?—That would make 31,000 *l.*

392. But permit me to draw your attention to this fact; you have stated that 10,000 *l.* to be in addition to Mr. Pratt's awards?—Yes.

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393. Which

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- Mr. R. S. Mayne. 393. Which would make it more than 14,000 £?—Taking all his awards, it would be considerably more; the awards were from 12,000 £ to 13,000 £. I think; more than 13,000 £. I believe.
- 3 June 1850. 394. That was of both classes?—Of both classes.
395. Then adding 10,000 £ to that would make it 23,000 £?—Yes.
396. Do you mean to say that there were 10,000 £ in addition to that?—Yes.
397. That would be 20,000 £, in addition to his awards; when was that discovered?—They came in from time to time after he went away in 1831.
398. Did you open an account, called the surplus fund, after you came in 1831?—No.
399. You were not cognizant of their returning a surplus to the Commissioners for the National Debt?—I am cognizant that they returned what they called an apparent surplus.
400. Do you know anything of their discharge from that surplus; how they made the payments?—The payments passed through me; they passed through the repayment books; the repayments to the depositors passed through the repayment books. That apparent surplus was to meet a debt of 47,000 £.

Mercureii, 6^a die Junii, 1850.

MEMBERS PRESENT.

Mr. J. A. Smith.
 Marquis of Kildare.
 Mr. H. Herbert.
 Mr. Ker Seymour.
 Mr. W. Fagan.
 Sir George Clerk.

Mr. Goulburn.
 Mr. Shafto Adair.
 Sir W. Gibson Craig.
 Mr. Bramston.
 Sir J. Yarde Buller.

JOHN ABEL SMITH, ESQ., IN THE CHAIR.

Mr. Robert Scarborough Mayne, called in; and further Examined.

- Mr. R. S. Mayne. 401. *Chairman.* DID you ever receive money at the savings bank?—I did; I was in the habit of receiving it, to assist Mr. Hughes when business got very heavy.
- 5 June 1850. 402. It was not part of your duty?—No, not my appointed duty at first, not my regular duty; I was never appointed for that. I was merely appointed as book-keeper; but of late years I assisted Mr. Hughes on a Wednesday to receive money, and deliver it up to him at the end of the day.
403. I asked you at your last examination with regard to a sum of 226£. 10s., received from depositors on the 15th of June 1840; do you recollect that?—I do recollect it.
404. You could not give me any account of that?—I do not recollect any such sum.
405. Will you take that book in your hand (*handing a book to the Witness*); in whose handwriting are those entries?—In mine.
406. Is not that the sum which I refer to?—Yes, 226£. 10s.
407. What did you do with that?—I cannot recollect that. I do not know whether this was a Monday or a Wednesday; but, however, it makes very little difference.
408. What book is that?—This is what we call a slip book.
409. You never mentioned that at your last examination?—I did not know that you referred to this sum as being in the slip book.
410. I asked you to mention what books you kept; you never mentioned the slip book?—No, nor did I keep the slip book; this slip book was the cashier's book for his receiving money, therefore I made an entry of it; it was handed to me to receive money; my book is the day book.
411. Was that book merely for the purpose of entering monies as received from the depositors at the counter?—Just so; a rough book.
412. From that book the entries were copied into some other book?—When Mr. Hughes, or myself acting for Mr. Hughes, received the money from the depositors,

depositors, we entered it roughly here; we gave a docket then to the manager with the pass book, in which pass book the manager entered the money received from the depositor, and that pass book was handed to the book-keeper to enter in the day book.

413. Am I right in understanding you to say that the entry was first made in the slip book, and from the slip book by the manager in the pass book?—No, from a docket; the slip books lay on the cashier's desk; he made a docket and put it into the pass book, and handed the docket and the pass book to the manager.

414. Who entered it in the pass book?—Who entered them in the pass book.

415. And the ledger was posted from the pass book?—No; he handed the pass book to the book-keeper, who was at the table; the ledger never was posted in public hours.

416. Then it was posted from the pass book into the day book?—Yes, on the public day.

417. And then from the day book subsequently into the ledger by you?—Yes, on a subsequent day.

418. You hold in your hand the slip book containing the transactions or receipts of the 15th of June 1840?—Yes, or a portion of them; there might have been another slip book on that day.

419. Were there more slip books than one?—Yes, because if it happened to be a Monday the cashier also received.

420. But those entries in the book before you refer to the 15th of June 1840?—They do.

421. And they are in your handwriting?—The entries are in my handwriting; the heading is not.

422. In whose handwriting is the heading?—Mr. Robinson's.

423. What did you do with that money stated to be received?—I suppose I handed it to Mr. Hughes; I cannot tell.

424. Have you any reason to doubt it?—Not the slightest; I think it is very likely you have a slip book that Mr. Hughes kept, in which that entry is.

425. How much money altogether was received on the 15th of June 1840?—I cannot tell.

426. Look at the book and see?—There appears to be 1,423*l.* 7*s.* 5*d.*

427. Is that made all in one entry, or is it made up of various sums?—In various sums.

428. Is there any reference to the sum of 226*l.* 10*s.*?—No, there is not, nor would there be; it is a mere portion of the money; I should, perhaps, say that there is a receipt produced for 1,424*l.* 4*s.* 10*d.*, which of course included that; in fact, 17*s.* 5*d.* over on that day.

429. In what book are the entries made of the receipt from depositors?—First of all the slip book.

430. And secondly?—The day book.

431. Will you refer to the day book of the 15th of June 1840, and tell me how much money was received on that day?—That is what I have just stated, 1,423*l.* 7*s.* 5*d.*

432. Then you cannot tell me how much money was paid in to the treasurers?—To the Bank of Ireland?

433. Yes.—£1,424. 4*s.* 10*d.* appears here, the receipt produced here being 17*s.* 5*d.* over.

434. Whom was that initialed by?—Darragh Osborne.

435. What does that initial testify?—That there was 1,424*l.* 4*s.* 10*d.* receipts produced for.

436. From the Bank of Ireland?—Yes.

437. What is 17*s.* 5*d.* over?—Over on the day; so much not accounted for over and above the receipts; some one paid in too much money, or else the cashier made some mistake against himself.

438. Mr. Fagan.] In this 1,424*l.* 4*s.* 10*d.* there appears to be the sum of 227*l.* 7*s.* 5*d.*; do you see it?—Yes.

439. If this 17*s.* 5*d.* over is deducted from that 227*l.* 7*s.* 5*d.*, is not the difference 226*l.* 10*s.*?—£. 226. 10*s.*

440. That is the amount in the slip book?—Yes.

441. Then how comes it that it is 227*l.* 7*s.* 5*d.* here, and 226*l.* 10*s.* in the other?—I cannot say.

442. Chairman.] In whose handwriting is the attestation or the statement
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that that money was received?—It is in Mr. Hughes's handwriting, but it is initialed by Mr. Osborne, a trustee.

443. We know from the Bank of Ireland that the sum paid in on that day was £1,196*l.* 17*s.* 5*d.*, leaving a deficiency of 226*l.* 10*s.* upon that statement; you received that money?—I did.

444. You must therefore not be surprised if the Committee require you to explain what that means?—It appears by that day book that I did pay it in; it tallies exactly with the slip book, with the 17*s.* 5*d.* over.

445. It does not tally then?—No, in that way; but, as I said before, you will find another slip book, I think, with a rough entry of this money being paid in to the cashier himself.

446. As being received by him from you?—Yes.

447. All the slip books are here; you can refer to them. It is quite certain that on that day the treasurers only received 1,196*l.* 17*s.* 5*d.*?—Yes.

448. You must really have the goodness to tell me what is the meaning of that?—I cannot say. I see a document there stating that a receipt was produced for the whole amount in the day book, including this sum.

449. But there cannot be any error in the books of the Bank of Ireland?—One would suppose not.

450. Of course there cannot. Would any other of the trustees or managers on that day have been cognizant of those facts?—Yes; it was done in committee; the receipts were produced in committee, but only one signed the book.

451. Can you refer to any book now which would tell you what other trustees or managers were present on that day?—No; the minute book I suppose tells it. I see, with respect to that 17*s.* 5*d.* over, "See 28th October 1840;" I do not see any minute of that date.

452. There is no minute in that book of the date of the 15th June 1840?—I beg your pardon; the minute could not be on that day, for it was not till subsequently that the receipts were passed.

453. But there is no minute that refers to the transactions of that day?—No, there is not. I do not think it was always done in committee; sometimes it was not done in committee; the trustees merely met and checked the book when there was nothing material of business to call a committee.

454. Mr. H. Herbert.] What trustee or trustees took the most share at that time in working the institution?—I cannot immediately say. Captain Osborne did a good deal; Mr. Fox did a good deal; Mr. Welsh was a very constant attendant. I do not immediately recollect any other trustees.

455. Did you ever receive any instructions or directions from any trustee or trustees individually, without the direction of the Board?—Yes. I seldom got any written directions from the Board; it was generally the trustee or manager in attendance that gave me any directions.

456. Chairman.] Be so good as to take that minute book in your hand; give me the date of the last minute appearing in that book previous to the 16th June 1840?—29th of May 1840.

457. Give me the date of the next minute appearing in that book?—The 2d of January 1841.

458. What is the reason of that long period occurring without any other minutes?—I cannot say.

459. Will you be so good as to refer to the second slip book, and see if there is any record of that entry?—The slip book which I mean is not the one for receipt of money from depositors, but a cash slip book in which the cashier entered the money received from me and received by himself.

460. And that is not here?—I do not know.

461. There is another slip book brought in for you; is that the book you mean?—That is it. I think there must be another book; there is no entry here of the 16th of June 1840 at all. This is the one; I see an entry here of 226*l.* 10*s.*; it is in pencil.

462. Why is that?—I do not know; it is not mine; that is the exact sum.

463. Take that book in your hand; what is the sum total of the addition in ink of the receipts on that day?—The ink and the pencil?

464. No; what is the sum total of the addition in ink of receipts on that day?—£1,196. 17*s.* 5*d.*

465. Whereas that agrees with the sum actually paid into the Bank of Ireland on that day, the exact deficiency is the sum of 226*l.* 10*s.*, about which we have been questioning you?—So it would appear.

466. Then

466. Then you will observe that there is in the handwriting of yourself an acknowledgment of the receipt of that money?—Yes.

467. In whose handwriting is that book before you?—Mr. Hughes's.

468. Then there is Mr. Hughes's handwriting acknowledging the receipt of 1,196*l.* 17*s.* 5*d.*?—Yes, received in the same way as I received.

469. And we have the account from the Bank of Ireland, showing that 1,196*l.* 17*s.* 5*d.* only was paid in; you will not, therefore, be surprised that I insist upon your giving me some information further about that 226*l.* 10*s.*?—I cannot give you the slightest information further than that I handed it to Mr. Hughes.

470. Mr. Fagan.] In whose handwriting is the day book of June the 15th, 1840?—Mr. Robinson's.

471. Who is Mr. Robinson?—My assistant.

472. In whose handwriting are the figures 226*l.* 10*s.*?—Mr. Robinson's, I think; the latter ink ones are, and I believe those are his too; I am pretty sure they are.

473. Chairman.] You stated that there was a memorandum in the day book behind you referring to some day in October?—Yes, as regards the 17*s.* 5*d.*

474. Do you find anything there that will serve you?—I find 17*s.* 5*d.* among other sums defaced, but I do not know what it was.

475. Defaced?—Yes, the ink drawn over it.

476. What book do you refer to?—Another day book.

477. Show it to me. (*The same was handed to the Chairman*). Is this day book in your handwriting?—Yes, so far it is.

478. And in whose handwriting is this?—Mr. Robinson's.

479. Do you know what those erasures mean at all?—No, I did not read them; there is a sum of 17*s.* 5*d.* there.

480. You had better look at it, and see if you can give the Committee any explanation?—It appears that the cashier has given credit for that 17*s.* 5*d.* here, which was over on the 15th of June; that is the reason of the reference in the day book of the 15th of June.

481. What does the erasure mean?—I do not know what it means.

482. There can be no doubt that there was 17*s.* 5*d.* over on that day?—Yes; it was accounted for.

483. But it is taken out again; it is not accounted for if it is erased?—It is still legible; I cannot account for it.

484. Supposing it had not been erased, to what account would it have been posted?—It would not have been posted to any account; it is given credit for to the cashier, he having paid it too much on the 15th of June 1840.

485. He having paid in more than he had received from depositors?—Yes.

486. Or pretended to have paid in?—It appears by the day book that there were receipts produced for it. I cannot say whether there were or not; it is marked by a trustee as such.

487. I again beg to draw your attention to the facts acknowledged and proved before the Committee: that you received that money, that there is no entry in writing in the slip book of the cashier to prove that you handed it over to him, while, on the other hand, the account furnished by the Bank of Ireland proves that the sum paid in is exactly deficient by the amount so received by you. I again say, and I press you very seriously to give me an answer, that you must give the Committee some account of what has become of that money?—I can give no account but by referring to the day book, where it is marked by a trustee as a receipt produced for the whole amount, including that 226*l.* 10*s.*

488. That trustee being dead?—That trustee is dead.

489. It is countersigned, initialed also, by Mr. Hughes?—Yes; the 17*s.* 5*d.* over is countersigned by Mr. Hughes; but the whole entry is in Mr. Hughes's handwriting.

490. And is countersigned by him also, is it not; look above?—It is; therefore that is an acknowledgement that he received it, I think.

491. Mr. Fagan.] Is it countersigned by old Mr. Hughes, or the young gentleman?—The old gentleman; he was not taken ill till much later than that; 1843, I think.

492. How long was old Mr. Hughes cashier?—From January 1831 to the time of the bank failing; his son took his place in 1844, I think.

493. Chairman.] When that day book was presented to you, showing 1,423*l.* 0*s.* 4*d.* c 2 received,

Mr. R. S. Mayes. received, was not it your duty to post that into the ledger?—I posted the separate items into the ledger; not in money; I had nothing to do with the money.

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494. Did you post 1,423 *l.* 7 *s.* 5 *d.* into the ledgers that day?—Of that day I did.

495. How can you answer that off-hand without looking at the book?—I know it was the common practice; from the common practice of that date.

496. From what book did you on that occasion post into the ledgers?—From the two day books.

497. Did you initial or tick off each item as you posted it?—In Day Book No. 2, I did; that is, when an account came in the second time; originally when it was entered I did not, because the account must be opened, and there was no necessity to tick it off.

498. Will you look at that cashier's slip book; you will see all the items ticked off?—Yes.

499. By whom is that done?—I suppose by Mr. Hughes himself in checking his cash; he checked his cash with the dockets which I was speaking of, that were handed to the manager, if there was anything wrong at the end of the day that did not agree with his cash.

500. You did not post from the day book at all, did you?—From the day book I did post, but not from this.

501. You posted the pass books into the day book, and then from the day book into the ledger?—Yea.

502. Will you refer to the day book from which you did post on that day?—I have it.

503. Is there any mark by which you know that you have posted all those into the ledger?—There is.

504. Are they ticked off?—Yes; they are marked "ed," entered.

505. Every one of them?—Every one, except the new ones, which I said must be entered in the ledger; and it is a matter of course that they must be there.

506. I again put into your hands the slip book that you kept on that day; those various entries there are ticked off, are they not?—Yes, in checking the cash.

507. Was that done by Mr. Hughes?—It might have been done by me, in conjunction with Mr. Hughes, or by my assistant; I cannot say; but I can tell by "ed," my own handwriting.

508. *Mr. Fagan.* Could not you recognise by whom a check mark was made, from a familiarity with it?—No, Mr. Hughes's is a very rough sort of thing.

509. Will you refer to that day book, and see whether any of those entries are in the day book?—I will; here is one in the day book about 25 *l.*, which appears among the new accounts; here it is, 25 *l.*

510. *Chairman.* Then you can give no more information with regard to this entry to the Committee?—None.

511. I want to draw your attention for a few minutes to your statements the other day with regard to the total amount of the defalcations whilst under Mr. Dunn's management; do you recollect a report made as to the state of the bank by Mr. Byrne in 1881?—No, I never recollect a report being made except reports on individual cases; I never knew of his making a report.

512. You never saw it?—Never.

513. You were in the bank when he made an examination of the books, were not you?—It was partly made before I came in at all.

514. But you found him there when you were there?—He was there during a part of the time that I was there.

515. Did he make a full and accurate examination of the books?—No; he left Ireland before concluding it, and I resumed it on his vacating it.

516. When did he vacate?—In or about the time Mr. Pratt was there; after Mr. Pratt went, I think; I think he was there while Mr. Pratt was there.

517. You never saw a report made by him to the Board?—I never saw his report, as well as I recollect.

518. Did you never hear of one?—No; I heard of one; that is, I heard from Mr. Clay that there was such a thing, but I remember I told Mr. Clay that I had never heard of it.

519. What do you conceive to have been the amount of deficiencies of all kinds ascertained subsequently to that date, or by yourself after he gave up the examination?—I think mine amounted to about 10,000 *l.*

520. Up

520. Up to what date; up to the closing of the bank?—Up to the closing of the bank, no doubt; but they do not come anything like so low down; they were most of them, I may say, up to 1832; the latter end of 1831 and 1832 I rather think were the most of them.

521. You told the Committee on Monday that there were a great many discovered after 1830?—No, I do not think I stated that; there might have been some, but I do not think there were a great many; I question whether there were any. I might have said that they were paid, but not discovered.

522. I drew your attention to a report of the superintending committee of the 27th of February 1839, which is in these words: "The committee think it right to apprise the trustees and managers that there does not remain at present any unsatisfied claims upon the institution, whether from depositors or other persons who had lodged their money or otherwise during the periods previously to the year 1831." I understood you to say that you knew that that was not an accurate statement of the fact?—Not as the words stand. I do not think it could have reference to your interpretation of it.

523. What do you think it meant?—I think it meant that there were no claims left unsatisfied; no disputed claims.

524. What is the meaning of the words "any unsatisfied claims," "whether from depositors or other persons who had lodged their money or otherwise;" does not that mean to include both those who had legally lodged their money and those who had illegally lodged their money and been defrauded by Mr. Dunn?—It would seem so.

525. Have you any doubt that it meant that?—I am perfectly satisfied that it did not mean that.

526. Why are you satisfied that it did not mean that?—Because the committee were perfectly aware of the deficiency; it could not have meant that all depositors were paid; that there was no deficiency, in other words.

527. Of course it did not mean that there was no deficiency; I did not so imagine it; but I do imagine it to mean, that all persons who had claimed money up to that date had been satisfied?—Yes, I think it meant that.

528. All the persons who had deposited money previously to 1831 had claimed by that time, had they not?—It is likely they had; I cannot say at this moment.

529. Then subsequently to 1830 all the sums due to depositors previously to 1831 had been either paid or relogged?—I do not know; from recollection I cannot say.

530. Do not you believe that that is the meaning of that passage?—I do.

531. Then subsequently to 1830 there could have been no sums paid except upon the usual notices, and going to the debit of the accounts in the ledger when paid in the usual way?—I do not say there could not be, because there might have been some fresh claims made.

532. But you are not aware of any?—I do not know of any such.

533. Can any large claims have been made without your knowing it?—No, I think not.

534. Then any sums drawn from the Bank of Ireland, of which no account appears in the book subsequently to 1830, can have no reference to the defalcations of Mr. Dunn?—I should say not.

535. Will you be so good as to take that book in your hand (*handing to the Witness the Report of the Committee of last year*), and read the heading of that paper and tell me whether you ever saw it?—"Statement showing the apparent surplus fund on the 20th November 1831, the payments that have been made thereon in money, and the amount transferred from old to new pass books to the 20th November 1846, and acknowledged as a debt due from the institution to the depositors in November 1831."

536. Have you ever seen that paper?—Yes.

537. By whom is that signed?—"Smyth W. Fox, Jos. Farran, trustees; Jas. Hughes, secretary or actuary."

538. Does not that show various payments on that account subsequent to February 1839?—Yes, it does.

539. How much?—I cannot say how much without totting it up.

540. Tot it up.—I make it £411*l.* 1*s.* 7*d.*

541. Which they state to have paid to depositors previously to 1831?—Or transferred to their accounts.

Mr. R. S. Mayne.

5 June 1890.

542. Subsequently to February 1839?—Yes. I cannot say; this takes in the year ending the 20th November 1839. It was subsequent to November 1838.

543. How is that consistent with your answer that no large sums were paid subsequently to 1839?—Of new claims. These are old outstanding claims.

544. But they state in February 1839 that there were no unsatisfied claims?—I cannot say as to that.

545. How do you reconcile those two things?—I cannot reconcile it in that way. It was known that there was a deficiency so far; it was known that there were claims for 47,000 *l.*, which there was only 27,000 *l.* to meet.

546. That gave a deficiency of 20,000 *l.*?—Yes, at that period.

547. At what period?—November 1831; from 20,000 *l.* to 21,000 *l.*

548. How soon was that ascertained?—It was ascertained in November 1831.

549. That the total amount of claims then existing upon the bank, and acknowledged, was 47,000 *l.* in round numbers?—Yes.

550. And that they had only 27,000 *l.* to meet them?—So I understood.

551. Did not you know it?—No; I had no means of knowing it. I had nothing to do with the cash part of the bank.

552. But you know that the amount of 47,000 *l.* was right?—Yes.

553. You made out the account upon which they formed that impression, that 47,000 *l.* was due?—I did.

554. Subsequently to November 1831, when you made that out, how much do you believe was ascertained as fraudulently abstracted by Mr. Dunn or others?—I think it was 10,000 *l.*; I will not be accurate about it. My recollection is that it was 10,000 *l.*

555. Was there no account kept of it?—Yes, there was.

556. Where was it kept?—An account kept by myself. It was not collected for the Board, but I kept it for my own satisfaction.

557. What have you done with that?—I gave it to Mr. Martin.

558. I understand you that you kept an account, for your own satisfaction, of the claims made upon the institution subsequently to November 1831?—Yes.

559. Which you have given to Mr. Martin?—I have.

560. Do you know what the amount of that was?—I think it was about 10,000 *l.*

561. Were any of those people paid?—All; it was an account of those that were paid that I put.

562. Their names did not appear, I understand you, in the old ledgers at all?—Yes.

563. But they brought their pass books, and they gave evidence that they had handed the money to Mr. Dunn?—Something of that kind.

564. Are not those included in any of these payments in the account furnished by the trustees on the 24th of July 1847?—They are not.

565. Why not?—That 47,000 *l.* was claims on the face of the books; the 10,000 *l.* which I am talking of never appeared on our books at all; they were similar to those that Mr. Pratt adjudicated upon.

566. Assuming that the amount of claims in November 1831, as appearing by the books, was 47,000 *l.*, and assuming that the Commissioners for the Reduction of the National Debt had 27,000 *l.* to the credit of the savings bank, that would show a deficiency of 20,000 *l.*, would it not?—In round numbers.

567. You state, I understand you, that a further claim was made by parties whose names did not appear upon the books, to the extent of about 10,000 *l.*?—Yes.

568. The total amount therefore of deficiencies would be, in round numbers, 30,000 *l.*?—Yes.

569. Have you any reason to believe that it exceeded that largely?—No.

570. In fact you know it did not?—No, I cannot say that. My recollection is that it was in or about 10,000 *l.*, and the other 20,000 *l.*

571. The bulk of both kinds of claims, namely, the claims of those whose names did appear in the old books, and the claims of those who did not appear in the old books, were both discharged previously to February 1839, were they not?—No; it appears by that, that the former were not discharged till 1846.

572. You believe them to have been so, according to your answer, some time ago?—I meant claims. I did not mean those that appeared on the face of our books; I meant disputed claims, and I think I stated so.

573. But you believe that all the claims of those whose names did not appear in the books were paid previously to 1839?—I think they were.

574. Then,

574. Then, according to that account, the only sums paid subsequently to 1839 were on the application of those whose names appeared in the old ledgers?—Yes.

575. You have already stated what that amount appears to be, by the accounts supplied by the trustees; be so good as to repeat it?—£. 6,411. 15 s. 7½ d.

576. Can you conceive any reason, or explain to the Committee, why, if those sums were paid subsequently to 1839, they should not pass regularly through the books of the establishment?—They did pass through the books of the establishment.

577. They were regularly noticed for?—Regularly noticed for, such portions as were not transfers; transfers were not noticed for.

578. But all payments would appear in the regular course of business in the notice book?—They would.

579. Therefore the payment of those sums can give no explanation for the withdrawal of large sums of money from the Bank of Ireland subsequently to 1839, of the expenditure of which no explanation appears in the books?—No; the payment of those sums should have been drawn by drafts, which would appear in the amount of the repayment book.

580. Mr. Goulburn.] And they were not so?—They were, I presume.

581. Chairman.] Then I need not, of course, ask you whether the abstraction of the sum of 9,500 l. in the year 1843 can have any reference to those payments?—All those drafts that I could not account for on the last day?

582. Yes.—They could not.

583. And the cashier and the trustees are the only persons who can give us any account of the application of them?—That is all, unless the minute book does.

584. You cannot?—I cannot.

585. Will you be so good as to describe to the Committee of what rooms the offices of the savings bank in Dublin consisted?—The savings bank latterly, since the new house was built, consisted of the large cash office; it consisted of an office between the large cash office and a house in front, and the Board-room above, and a back room and kitchen, and a room behind the large cash office.

586. Where did you sit?—I sat in the large cash office.

587. Did all the transactions as regarded the receipt and payment of money take place in the large cash office?—Yes.

588. Then no considerable number of transactions could have taken place without your seeing them?—Not on the public day.

589. Nor on any other day, if they took place there?—Not with the public, certainly; the cashier generally sat in the Board-room to do his own private business, to make up his cash, and all that; he had a safe in the Board-room, and he made up his books there, generally speaking.

590. Then these large payments in the year 1843 could have been made to parties without exciting any attention or observation from you?—They never were paid to parties, I conceive.

591. What do you believe was done with them?—I have not the slightest idea; I cannot account for them at all.

592. But do you really wish the Committee to believe that when you kept the books, when you were there constantly, when you were in the business of the office, these large transactions and these numerous transactions could take place without exciting either your attention or your suspicion?—I never knew of them; therefore my suspicion was never aroused; but as regards those drafts, there must have been drafts drawn independently of those connected with the repayment book, for the current expenses of the bank, for officers' salaries, and management.

593. But you have already stated that those were comparatively very small amounts?—They were.

594. Never approaching in any one year to 1,000 l.?—No, I should say not.

595. Therefore of course giving no explanation of drafts for 9,500 l.?—I think that they did in some case exceed 1,000 l. in a single year; but taking the average they would not.

596. You allude probably to the year in which they rebuilt the bank?—I saw in the Appendix to your Report of last year, extra expenses in different years, which make it amount to more than 1,000 l.; what they were I cannot say.

597. I believe that the annual accounts of the savings bank, which by the

Mr. R. S. Mayne.

5 June 1856.

Art are ordered to be hung up in the office, never were hung up, were they?—I never recollect any.

598. Do you know at all why that provision of the Act was not complied with?—Because they could not bear the public scrutiny; they must show a deficiency.

599. And I understand you again to state that the account which you rendered to the trustees of the amount of claims upon them each November was accurately made out?—It was.

600. And that any alteration of those accounts was made without your cognizance or concurrence?—It was.

601. Did you ever see the accounts subsequently?—I never saw an account for more than about a minute or two. After it had been sent over here I saw a copy or draft (I do not know which) once or twice; I never scrutinized it. The only time I saw them was when I was anxious to see what the amount of capital was, and I was not allowed by Mr. Hughes to look at them to take that.

602. You do not at all know the amount of deficiency which they acknowledged in any one year?—No. I understood that there was an understanding that it never should exceed 20,000*l.* I always heard so; I cannot say more than that hearsay.

603. Were the annual accounts that were furnished by the trustees to the Commissioners published in any way whatever?—Never.

604. You are not aware, then, that in the year 1838 the trustees admitted a deficiency of 25,371*l.* 6*s.* 6*d.*?—I am not.

605. Upon what do you ground your belief that there was any agreement with the Commissioners of National Debt?—Merely hearsay.

606. Whom did you ever hear it from?—I heard it from Mr. Fox. I heard it, I am pretty certain, from Mr. Foote and from Mr. Hill.

607. You think you heard it from Mr. Foote, do you?—I think I did; I am pretty certain I did, and from Mr. Jones.

608. Did you give any security to the bank?—I did.

609. To what amount?—*£*1,000.

610. Who were your securities?—Mr. John Mayne and Mr. William Mayne.

611. Relations of yours?—They were.

612. Were they valid securities?—Perfectly valid; one was assistant barrister for counties in Ireland; of course not at the same time for different counties; he was barrister for Mayo latterly.

613. Mr. H. Herbert.] I asked you before what trustee or trustees took a particular share in the management of this institution?—From time to time there were different ones. Mr. William Welsh, up to the time of his death, was, I may say, always there; Mr. Simeon Bolles was a very constant attendant.

614. Was Mr. Smyth Fox a constant attendant?—He was, for a series of years.

615. Did he occupy any very prominent place at the Board, and did he appear to exercise more influence than other trustees?—I cannot say; I never attended the Board.

616. Did he ever give you any instructions without a minute of the Board?—I cannot say whether there was a minute of the Board or not; I took my instructions, as I stated just now, verbally from the manager.

617. Did you ever receive any instructions verbally from Mr. Fox?—I am certain I did.

618. Did you ever receive any instructions from him either to pay or to withhold money from any parties?—No, except in the usual course of business to pay he might have told me; nothing more than usual.

619. Do you know Mr. Harman?—I do.

620. What was he with reference to the bank?—A manager.

621. Did he take a prominent part also in the management of the affairs?—No, I cannot say he took a prominent part; he attended there to check very often; not a leading part.

622. Can you state that those two gentlemen whom I have mentioned did not take a leading and active part in the affairs of the bank, Mr. Fox and Mr. Harman?—Mr. Harman certainly did not take a leading part; Mr. Fox did; he was much older in the bank.

623. Was money to your knowledge ever paid without the ordinary week's notice being given, to any depositors in the bank?—Yes, constantly; when I say the ordinary week's notice, very often a person giving notice got the money

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on the day of giving notice, what we called paying in advance, if there was urgent necessity for it; but then the entry remained in the book as for the proper day; it was subsequent, in fact a week previous to the day on which it should be.

624. Who was the judge of the urgent necessity?—The manager.

625. Did he give you instructions then?—Yes.

626. Did you ever pay without any instructions?—I was not the payer; I was not the cashier; it was a very usual thing in a case of urgency.

627. Mr. Goulburn.] Out of what fund was that paid?—The usual fund; it was noticed for, say, on one Wednesday for the following Wednesday, and instead of waiting for a week it was paid on the day of giving notice.

628. How did you get the funds to pay it?—I believe the cashier had a floating balance in his hands.

629. Mr. H. Herbert.] Then how was it known from day to day what sum would be required?—The notices were entered on one Wednesday for the following Wednesday; we made up the amount previously to the second Wednesday, the exact amount to be drawn for.

630. Chairman.] You were to bring a paper with you to-day?—I was.

631. Have you got it?—Yes. (*The Witness produced the same.*)

632. What is that?—The first leaf contains the tot of the ledgers in bulk, the second leaf is the classification of that account.

633. For what year?—1844.

634. What is the total amount which by the ledgers appeared to be due to the public at that date, the 20th of November 1844?—£ 295,370. 2 s. 2 d.

635. Will you be so good as to take that paper in your hand; that is a copy of the account furnished to the National Debt Commissioners, what does that show as due to depositors?—£ 292,001. 19 s. 7 d.

636. Then that does not tally with the account which you gave the trustees?—It does not.

637. Do you know who made the alteration?—I do not.

638. Mr. Goulburn.] Who signed the altered account?—"Darragh Osborne, Jos. Farran;" and countersigned by Mr. Hughes, as secretary or actuary.

639. Chairman.] What is the difference between the two accounts?—£ 33,368 3 s. 2 d.

640. Then the persons who gave that account to the National Debt Office were cognizant of the fact that that was an untrue account?—I do not know that. They were cognizant of the fact that it was an untrue account, I believe, because I believe they were aware of it from the beginning; but I do not say they were cognizant of that amount.

641. But had not they your paper before them?—I do not know. I handed my paper to the cashier who made out the account.

642. But the cashier who signed that account, did it with the knowledge of the accurate amount of the claims furnished by you?—He did.

643. Have you a similar account for other years, which you stated you had?—I have sent for one or two, but I have not them here.

644. You have also referred to the account which you stated yourself to have with regard to the 10,000 l. of claims made subsequently to November 1831?—I stated that I handed it to Mr. Martin.

[*The following Document was delivered in by the Witness:*]

Nov. 1844.—SUMMARY of GENERAL ABSTRACT of ACCOUNTS.

	£.	s.	d.	£.	s.	d.
Old Account - - -	4,491	6	8	4,491	6	8
New Account, Tr. - -	15,312	12	4			
— E. - -	16,066	12	4			
— F. - -	24,914	15	4			
— G. - -	22,910	11	1			
— H. - -	25,682	3	2			
— I. - -	43,718	10	3			
— L. - -	61,285	9	11			
— M. - -	43,376	10	7			
— D. & K. - -	6,420	10	6			
				295,945	16	6
	£.			295,370	2	2

February 1845.

The Reverend *Smyth Whitlaw Fox*, called in ; and Examined.

Rev. S. W. Fox.
—
5 June 1850.

645. *Chairman.*] AT what date did you begin to take an active part as trustee in the affairs of the Caffe-street Savings Bank ?—I think about 1830; 1828, or 1830.

646. Before Mr. Dunn went away ?—Yes; I do not think I was a trustee before. I am not sure of it, but I was there before Mr. Dunn went away; I was a manager some time; the managers and trustees were always together.

647. And subsequently to that date, with short intermissions, you paid a very close attention to the affairs of the bank ?—For a certain time I did.

648. Up to what date ?—I dare say to about 1832 or 1833, and then I do not think I went to the bank much until later, about 1842 or 1843; I had other things to attend to at that time, and I rarely went.

649. But you cannot tell us when you resumed ?—I should think it must have been about 1842 or 1843; it might have been sooner, but I am not very clear about it.

650. Can you by reference to the minute book tell us that ?—The minute book would give my attendances probably, but not more than just being in the room.

651. At the meeting of the trustees, was the pass book between the Bank of Ireland and the savings bank regularly shown to them ?—I do not think I ever saw it.

652. You never saw one ?—No; if you mean the cash book belonging to the cashier.

653. Are not you aware that when an account is kept with the Bank of Ireland, the person keeping the account has what is called a pass book with the bank ?—Yes.

654. Have you an account with a banker yourself ?—Yes.

655. And you have a pass book ?—And I have a pass book, of course.

656. Then you are cognizant of the fact that a pass book must have existed between the Bank of Ireland and the savings bank ?—I have no doubt; but then you are not asking me as to time. I never recollect seeing one.

657. Without reference to time, as long as the account existed there must have been a pass book ?—I should suppose so.

658. Did you never see it ?—No; I do not think I ever did.

659. Was it never exhibited to the trustees ?—Not to my knowledge. There was a long period in which Dr. Orpen attended, and he kept that pass book himself; we never saw it.

660. But that was prior to 1843 ?—Yes; that is the reason I asked you the date.

661. In 1842 or 1843, when you resumed your active superintendence of the affairs of the bank, did you never see the pass book ?—No, never.

662. What evidence had you that the monies went to your credit; that they were paid in ?—The producing of the bank receipts that were produced; the acknowledgement of the bank.

663. Were they filed ?—They were always kept by the cashier.

664. Where are they now ?—I declare I cannot say.

665. You cannot tell us where the pass book is ?—In the first place, I never saw a pass book; in the next place, I do not know where the receipts are; the cashier always kept them.

666. Can you tell us where the paid vouchers of the bank are ?—I should suppose in the cashier's hands, but I cannot say whether they are or not; he kept all the papers.

667. You were constantly in the habit of signing cheques upon the Bank of Ireland, were you not ?—Yes.

668. Upon what evidence or authority did you sign cheques ?—Upon the book-keeper's statement of what was required for the next day's disbursements.

669. Was that the only authority ?—That was the only authority that I signed on; there were always two signatures; the person who signed last always looked to what the cash was filled up from; he who signed first, I think, did not; but the last signature always was understood to be that.

670. Can you by a reference to the minute book tell me whether you attended regularly in the year 1843 ?—I suppose the minute book would tell that, but

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I cannot

Rev. S. W. Fox.

5 June 1850.

I cannot say. I think in 1843 I attended very regularly; I presume I did. (*A minute book was handed to the Witness.*) What do you want me to look to?

671. I want to know whether you attended regularly in the year 1843?—No; I do not see my name down about 1843 at all, as a committee attender; I am down once in 1843, but I believe not very generally; that is March 1843; in April 1843 I was there.

672. Would not the repayment book of 1843 refresh your memory?—The repayment book would be a different thing altogether; because though I might have attended the committee, we used to accommodate one another by attending below stairs to disburse the payments; we used to relieve each other.

673. The books are here, and I ask you again, is there any means which you have of answering my question whether or not you attended regularly in 1843?—I am pretty sure that in 1843 I attended below stairs pretty regularly.

674. And attended the committee also?—Occasionally, certainly.

675. Will you be so good as to turn to the 28th of December 1843: I want to know what draft was drawn on that day, and who was present?—It ought to be 1,685 *l.* 2 *s.* 7 *d.*, I think.

676. Why did you draw for 2,485 *l.* 2 *s.* 7 *d.*?—I am not aware that we did.

677. I know you did, because I have the accounts of the Bank of Ireland?—That would not tell it; whoever signed that must have accounted for it.

678. The books show no way of accounting for it?—I cannot answer what the books tell; I know that whenever a draft was to be drawn, the last person who signed the draft got a return paper signed by the proper officer as to the amount which that draft was to be filled up with.

679. What book have you before you?—The repayment book of December 1842.

680. Was not that the only authority that could justify you in drawing money from the Bank of Ireland that day?—I would not say that.

681. What other authority could you have?—There might be other things as well, not in the book.

682. For what?—Sundries and various things.

683. Permit me to say, that in so serious a matter it is hardly correct to talk about "sundries and various things;" you were dealing with the money deposited with you for safe custody, and you would not draw for that without some reason for drawing for it?—Certainly the cashier made up an account for it, and there would be a draft for it.

684. But what reason could he have for drawing, except to repay depositors?—There would be other things.

685. What?—He might have put salaries or things of that kind into it; I could not say.

686. What was the whole amount of annual salaries?—The salaries must have been about 400 *l.* a year, I should think.

687. Then the excess of that cheque being 800 *l.* could not be for salaries?—No, I should think not.

688. If there was such a cheque?—If there was such a cheque, I should think not.

689. Do you see that you were present on that day?—Yes, at the repayment I was certainly; there were several other gentlemen; there were a great many others present, I see.

690. You cannot give the Committee any information about that?—Upon my word I cannot.

691. Will you be so good as to turn to the 16th of April 1843?—That amounts to 1,120 *l.* 12 *s.* 4 *d.*; that is what it ought to have been.

692. Then if there was a draft drawn on that day for 2,020 *l.* 12 *s.* 4 *d.*, a difference of 900 *l.*, there is no evidence to show why it was drawn; were you present that day?—Yes, I was present on that day certainly, along with others; there is no doubt of that; but that draft should not have been for more than that amount.

693. Then if it was drawn for 2,020 *l.* 12 *s.* 4 *d.*, where is the Committee to receive an explanation of the reason?—I should think the corresponding part of the draft would check it.

694. You cannot tell us where that is to be got from?—Unless Mr. Hughes has it; he always kept the cheque book.

695. In looking through the accounts, there is a very large discrepancy in the

the year 1843 between the amounts paid into the Bank of Ireland and the amounts received from depositors; can you give the Committee any explanation of that?—I am not aware of it.

696. Or how it had occurred?—I cannot tell; I am not aware of discrepancies occurring between the two. In 1843 Mr. Hughes was taken with illness.

697. You did not pay the money in; what became of the money if it was not paid in?—During Mr. Hughes's illness?

698. Yes?—The money that came in was regularly lodged.

699. In the Bank of Ireland?—Regularly; that was during the time that Mr. Hughes was absent.

700. Are you quite sure of that fact?—I should think so; when Mr. Hughes was absent; I think so.

701. Are you quite sure that there was not a considerable period in 1843 and 1844, when the monies were not paid into the Bank of Ireland at all?—I am not so sure of that; I always thought they were. During Mr. Hughes's absence I know Mr. Robinson acted for him, and I know that account was correct, except 10s.; there was 10s. deficient certainly. That was, I think, in 1843. I think Mr. Hughes was taken ill in November 1843, and then from that to May 1844 I know the lodgments and disbursements were correct.

702. Up to what date do you know they were correct?—Up from November to April or May, a period of five months.

703. What makes you say you know they were correct?—Because they passed through my hands in that time. There is a book there to ascertain it. I admit there was 10s. deficient.

704. Have you any record of that?—You have a book here to see yourself.

705. Did you appoint any agent?—No. It was the assistant book-keeper.

706. But is it not the fact that no money could be lodged except by the agent?—I should think it could.

707. Or drawn without the agent?—No. That will account for the money not being put into the bank.

708. Are we not correctly informed that the Bank of Ireland refused to take any money to the credit of the Commissioners for the National Debt, without its being paid in by an agent regularly appointed?—Really I am not aware of that.

709. Then you do still persevere in stating that during Mr. Hughes's illness the money was regularly paid into the Bank of Ireland?—It was certainly my impression, but now you have rather staggered me in that. That is my impression; that the money was regularly accounted for I am perfectly aware.

710. Did you ever see any receipts at that time when Mr. Hughes was ill?—No, I cannot say that I did; I cannot recollect that I did.

711. What makes you say that the transactions were all regular at that time?—Because Mr. Robinson and I went regularly over them, and they were regularly balanced; and you have the book here yourselves with that balance in.

712. Then you would be surprised to hear that there is a deficiency of 3,088 l. 11s. 7d. upon the transactions of that period?—I certainly would.

713. There is no doubt about the fact. I mean to say that the monies paid into the Bank of Ireland, and the monies paid in by depositors, between November 1843 and November 1844, show a discrepancy of 3,088 l. 11s. 7d.;—I do not know anything of that. I know that while I was acting it was correct, and that you have the means of ascertaining.

714. Now I will bring the circumstances nearer to your recollection: between November 1843 and the 27th of March 1844, you received 13,088 l. 11s. 7d., which is the period at which you say that you know the things were correct, and you paid 10,000 l. into the Bank of Ireland subsequently to January; you did not use the Bank of Ireland as a banker at the end of 1843, but in the beginning of 1844 you resumed the practice?—Yes; that was because young Mr. Hughes was then appointed in his father's place, and he resumed it.

715. In the months of January, February, and March, you paid in the sum of 10,000 l. to the bank, leaving a deficiency of 3,088 l. 11s. 7d., of which your books show no explanation whatever?—I know nothing whatever about it.

716. But you stated just now that you went through the accounts and found them correct?—The accounts that were gone through with myself, the lodgments and disbursements, were perfectly correct; that you have the books for.

717. But the lodgments and disbursements could not be called accurate unless

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unless the monies were paid in as they were received?—They were not paid in at that time; we did not know but that Mr. Hughes would be back very quickly.

718. Then you do recollect the fact that they were not paid in?—I conceive now, from what you said a few minutes ago, from the want of an agent to lodge them, that the bank would not receive them, and the money must have remained in the safe, of which I did not keep the key.

719. Who kept the key of the safe when Mr. Hughes was away; who had the custody of the cash?—I think that Mr. Robinson always kept it.

720. Did Mr. Robinson live in the bank?—No one lived in the bank at that time but a servant.

721. And did they keep these large amounts in the safe?—Yes, in stone rooms; they were perfectly safe.

722. But Mr. Robinson was an under clerk, was not he; was not he second to Mr. Mayne?—He was second to Mr. Mayne.

723. Why did you not give Mr. Mayne the key?—Upon my word I cannot say.

724. Do you know that he had not it?—No, I would not say that either; but the impression on my mind was Mr. Robinson; Mr. Mayne might have had it for all I can say.

725. Sir W. G. Craig.] What salary had this Mr. Robinson?—It was a large one, but I cannot say; I do not remember Mr. Mayne's salary at present. Of the two, I think Mr. Robinson was the steadiest.

726. And he was entrusted with the custody of sums amounting to about 18,000*l.*?—I am very sure that nothing was wrong during that time on Mr. Robinson's part; you have the book here to ascertain it.

727. Mr. H. Herbert.] Why are you sure that there was nothing wrong at that time?—Because Mr. Robinson was always so critically exact, and we went over that account ourselves together; you have the account here I know.

728. Chairman.] What account?—I think it is cash transactions between 1843 and 1844.

729. When Mr. Hughes was away?—Yes, until his son took his father's place.

730. But what was the object of keeping the account in that way while Mr. Hughes was ill?—I suppose because the bank would not take it.

731. Why did not you begin by telling us that?—Upon my word I cannot tell why. If the question had been asked me I would have said so; I did not intentionally withhold it; I was not aware of it until you called my recollection to it, that the bank would not do it.

732. Now you recollect all about it?—Now I do; I do not intentionally withhold it from you, I assure you.

733. Mr. H. Herbert.] You said just now that some of the facts to which the Chairman called your attention staggered you?—That was one of them; that the money had not been lodged in the bank; now I see the reason.

734. Then how is that consistent with your now saying that you are convinced that at that time all was right?—I am convinced that at that time all was right, as far as regarded the cash transactions, between Mr. Robinson's balancing the accounts. I know they were correct at that time, with the exception of 10*s.*; I know there was 10*s.* short in the receipt of one day.

735. Have you any way, then, of possibly accounting for this deficiency that has been mentioned by the Chairman?—I have not at all; it is the first time it was ever mentioned to me, or ever heard of; it is very extraordinary.

736. Chairman.] Then you would be very much surprised to hear that that is a trifle compared with the deficiencies existing in every year?—Upon my word I really would, for I had not the slightest idea of any such thing.

737. Were there ever any cheques drawn without a written statement of what they were wanted for, or some record of what they were wanted for?—There was no cheque, to my knowledge, ever signed by the person who signed the last signature without it.

738. Where would the statement of the cause for which it was wanted appear?—On a slip of paper.

739. What became of those slips of paper?—They were kept by the gentleman who signed last; I know Mr. Farran always kept them, and had them, and I think has.

740. And

740. And there was no minute kept in the books of the bank?—No.

741. Of the drafts drawn or the reason for drawing them?—No; but this ought to have been in the minute. (*Pointing to the Repayment Book.*)

742. But when the drafts were drawn in excess of that repayment book, was there no record kept of what they were drawn for, or the excess of money?—I should think the cashier could show that.

743. Out of what book?—Out of his own private book.

744. What private book did he keep?—I suppose he kept a private cash account book.

745. What reason have you for thinking so?—I suppose every man in his situation would.

746. A private cash book?—Of his own transactions.

747. They were not his own transactions; they were the transactions of the bank?—Unless what appears in the minute book, I can give you no other information.

748. Mr. H. Herbert.] Do you not think that the facts which the Chairman stated to you, which you said so staggered you, give rise to very grave suspicions with reference to every person connected with the bank at that time?—We never had any; at least I never had.

749. But do you not think that this statement having been made to you, it is incumbent upon everybody who was concerned in the management at that period to show if possible how this occurred?—I would if I could, no doubt.

750. Can you suggest to the Committee any mode which is likely to give a clue to any of these transactions?—Upon my honour I cannot, because I never had the slightest suspicion of them.

751. Mr. Bromston.] In what year was it that the new house was built?—I should think either 1841 or 1842.

752. Is there any book that will give us a minute of the payment of the bills expended in the erection of that house?—I think the Minute Book always directed Mr. Hughes to pay a certain sum on account. I should think so. I do not think I attended on the committee at that time; but I think that it was so.

753. Would not the order for the payment of those bills have been made by the trustees?—I should think they would have been ordered, or ought to have been ordered, by the committee when sitting.

754. Is there no record kept of the expenditure of those sums?—Certainly. I should think they must be in the Minute Book; they ought to be there.

755. Mr. S. Adair.] With respect to the signatures to the cheques, you state that it was the custom of the manager signing last to fill in the sum for which the cheque was drawn?—Or to see that the sum filled in was correct.

756. Then was it the custom generally to leave a blank in the cheque to be filled in when that manager signed?—Yes, last.

757. Have you any idea what became of those cheques after presentation at the Bank of Ireland?—No, not the slightest.

758. Were those cheques never returned, after discharge, to the savings bank?—I cannot answer that. I have no recollection of that.

759. *Chairman.*] Was the balance at any particular time in the Bank of Ireland to the credit of the savings bank ever shown to the trustees?—Upon my word I do not think it ever was. I have no recollection of it except, I think, at the annual meetings for the public accounts; it was mentioned then.

760. Will you be so good as to take this paper in your hand; that is a copy of your account, furnished by the Bank of Ireland to this Committee; what is the date of the last draft drawn on that side?—1 November 1843.

761. That is not a draft drawn; that is cash paid in by the National Debt Office; what is the date of the last payment to your credit, the item preceding?—The one preceding would be the 28th of October 1843.

762. Will you take this; that is the following account; just see whether that account follows (*handing another paper to the Witness*):—The next one is December 31st.

763. How much was that?—This says 208*l*.

764. Is not that a balance?—So it is.

765. It is a balance?—It says so.

766. What is the next sum paid in, the following sum?—Cash, 2,000*l*.

a.49.

b.4

767. That

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767. That was paid by the savings bank into the Bank of Ireland; that is the next transaction following October 1843?—Yes, it is; it would appear so.

768. What are the next transactions up to the 12th of March; read those of monies paid in?—“January 5th, 2,000*l.*; January 10th, 1844, 2,000*l.*; the 25th, 1,000*l.*; February 1st, 2,000*l.*; February 15th, 2,000*l.*; March 8th, 1,000*l.*

769. Making altogether, what?—£. 10,000, I think.

770. Can you tell me, by any reference to the books, what you received during that time?—The tots of the different books would tell you; but I do not know of any tot put together.

771. Do you know sufficiently how the books were kept to tell by reference what was received during that time?—I do not think I do.

772. Are you now satisfied that during that period you did not use the Bank of Ireland as your treasurer at all?—I think it is probable not; but I could not be satisfied positively.

773. If that is an accurate copy of the accounts, you could not have done so?—I declare I could not say.

774. Is it possible that there should have been no transactions either of receipt or payment between October and January, if you had used the bank as your treasurer?—That was in 1843, when Mr. Hughes was ill; I really could not tell.

775. But is it possible that there should have been no transactions either of receipt or payment between October 1843 and January 1844?—If Mr. Hughes was absent and ill I should think not; there would be no gentleman appointed in his place.

776. The business of the bank went on in the usual way?—It went on in the usual way.

777. Then there must have been large sums received and large sums paid away between October and January?—Yes.

778. Of which there appears no record in the books of the Bank of Ireland?—Yes, certainly. If no one could lodge money but Mr. Hughes, as our accredited agent, that must be so; but I was not aware of it before until you mentioned it.

779. Does there appear in that account before you any record of transactions between October 1843 and January 1844?—The 28th of October and January 1844 are the two periods; it appears as if there was no lodgment between the two.

780. I want to know upon what authority payments were made, and who had the custody of the monies received during that interval?—The bank went on in the usual course, and the money was received by a trustee.

781. What did he do with it?—He gave it to be locked up in the safe at the end of the day; it was checked at the end of the day, and it was put up, I suppose now, in the iron safe; and that account was gone over afterwards and examined, and found to be perfectly correct.

782. What account?—That account between that time in January and the other.

783. What you mean by that is, that the receipts on the one side and the payments on the other left such a balance as was proved to be accurate?—Accurate; 10*s.* short.

784. Have you a copy of that account?—No, but I know you have it.

785. Is it in a book?—It is.

786. What book?—I think Cash Transactions, between 1843 and 1844, is the name of it; I most particularly inquired about that book before I left.

787. Take the bank account before you, and take the repayment book; you have told us that the repayment book on that 28th of December 1843 authorized the payment of a certain sum; look at the repayment book before you, and tell us what it is; how much it did authorize you to draw for on the 28th of December 1842?—£. 1,685. 2*s.* 7*d.* there ought to have been.

788. Now look at the bank account, and see what you did draw for?—£. 2,485. 2*s.* 7*d.*

789. Is there any appearance of any draft of 1,685*l.* 2*s.* 7*d.*?—No, unless it is included in that.

790. Do not you feel it incumbent upon you, you having been present and one of the trustees, to explain that to the Committee?—I cannot explain it.

791. Who

791. Who received it?—The cashier is the only person who could say that; you are assuming that I was the second signature, but I was not.

792. But you were present at the time when the draft was drawn?—I might or might not be; the draft was filled in by the second signature without the presence of the first signature. If I had signed it as the last signature, I would say confidently that that must have been before me.

793. But you were present on that day in the bank; look in the repayment book?—Yes, I was present on that day; but this draft was signed in the middle of the preceding week, not upon that day.

794. Mr. Fagan.] Was there any other trustee present?—We were continually going in and out; I see Mr. Callwell was there; Captain Osborne was there.

795. Chairman.] On the 28th of December 1842 there was notice given by depositors of wanting so much money?—On the 21st there was.

796. What date was that notice for?—Payable on the 28th.

797. Was the draft drawn before that day?—The draft was generally signed in the week.

798. Before the day?—I think Mr. Mayne had to make up this account, and it took him up to either Wednesday or Thursday to make the interest of this up, and to get it ready for the third signature, and then, when it was totted up, Mr. Mayne filled up a paper corresponding with this cash book for the repayment draft, and whoever signed the signature of that draft kept that paper.

799. You signed a great many cheques?—I think I did; I do not think I ever signed more than two.

800. In your life?—Of those second signatures.

801. Have you got the papers that you received when you signed them?—I am not very sure that I have; I know I had them for a long time; I know Mr. Farran always kept them, for he has told me so repeatedly.

802. Do not you feel it incumbent upon you to explain such a discrepancy as that?—If I could, decidedly. I think it very extraordinary; that is all I can say. I had not the most distant idea of it.

803. I have proved to you, I think, that you did not use the Bank of Ireland as treasurers between October 1843 and the beginning of 1844, and you now recollect, I understand you, that you did not do so, because you could not use them as treasurers without the intermediate agency of Mr. Hughes?—It was you suggested that to me, but I never was aware of it until you did.

804. You did not know the reason?—I did not indeed.

805. And you do not know it now?—Not, except as it comes from you.

806. You do not recollect it?—No.

807. Cannot you recollect why you ceased to use the Bank of Ireland, and made yourselves your bankers, between October 1843 and January 1844?—You have explained it to me at once, that there was not a person authorized to do so.

808. Cannot you explain to me why you resumed the practice of paying into the Bank of Ireland in 1844?—At that time which you are alluding to I was not on the superintending committee. They appointed young Mr. Hughes, and when they did so, and got his security, then he took his father's place.

809. Was he formally appointed in 1844?—He was formally appointed by a committee, of which I was not a member.

810. Was there any record of that transaction?—I should suppose so, but I was not on that committee.

811. And you do not know whether there was any record or not?—I suppose there was, and I am pretty sure there must have been; I take it for granted, but I was not on the committee, I know.

812. Will you look at that book (*handing a book to the Witness*)?—That is not the book that I allude to; it is possible that is the slip book, in which when a depositor paid the money in I put it, and his name and the slip went with the pass book to another.

813. What do you call that?—A slip book.

814. Is any part of that kept by you?—Yes; that is kept by me, and at the end of the day is the amount both in notes and money; that is in Mr. Robinson's handwriting.

815. Mr. Fagan.] Who kept the cash during this period?—I think Mr. Robinson must have done it; there is his receipt for having taken it from me

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at the end of the day, but you have a book in which it is balanced, and one day there was an error of 10 s. throughout those five months, and no more.

816. *Chairman.*] Then you can give us no account of the apparent discrepancy in the books between the receipts and payments in 1843?—What month in 1843; of the gross year?

817. Yes.—No, I could not, because it might have taken place previously.

818. Mr. *Brawston.*] You cannot tell us where it has gone?—Certainly not in the department that I was in, because that you yourselves can ascertain; but further I do not know.

819. *Chairman.*] How can we ascertain it?—You will see the tot of that book, and you will see the account balanced in another book that you have.

820. The very thing that I want to ascertain is, why, in the year ending November 1844, viz. between November 1843 and November 1844, and, in fact, between November 1843 and the middle of March 1844, why, during those four months, you paid in 3,098*l.* 11*s.* 7*d.* less than you received?—For what date?

821. Between November 1843 and the end of March 1844.—I do not believe it; that is all I can say; I know that the only part which I had in the cash was perfectly correct; but upon the gross year I cannot tell.

822. Assuming that to be so, there must have been some record of the transaction; where is that record?—The record of that transaction can only be in the minute book.

823. Permit me to recal your recollection to what you stated, that you knew that the cash transactions were right between November 1843 and the end of March 1844?—If that was the time of Mr. Hughes's illness, they were.

824. I ask you what evidence you can give me of that fact?—You have the books here yourselves to make it out by; there is one before you at this moment.

825. I ask you what books?—There is one of the slip books before you now; Mr. Robinson got that account at the bottom, and then the gross tot is made up in another book, which I know you have.

826. What do you call it?—That is a thing that I do not remember; I thought it was an account of cash transactions during that period; it was a book which Mr. Robinson kept; I particularly asked the name of that book for the very purpose of referring to it, and showing that during that period the accounts were correct. I know there was a 10*s.* error in it; in the whole of that time there was just an error of 10*s.* short. I think it is a small square book, if I recollect.

827. Mr. *Brawston.*] In whose custody was that book?—Mr. Robinson's always.

828. Mr. Robinson was the clerk of Mr. Mayne?—He was assistant.

829. *Chairman.*] You did not attend in the year 1834 much?—I think, scarcely at all; if they wanted me at any time, probably I would go.

830. Therefore there is no use in asking you much about the transactions between 1831 and 1843?—I rather think not; the impression upon my mind is that I attended very little indeed during that time.

831. I want to draw your attention to the year 1845, when you clearly did attend, and I want you to take the day book, beginning on the 5th of November 1845; how much did you receive then?—*£* 1,008. 6*s.* 11*d.*

832. Turn to the 12th of November; that is the next day of receipts, is it not?—No; the 10th was the next day.

833. How much did you receive?—*£* 1,284. 14*s.* 5*d.*

834. From depositors?—From depositors.

835. Was there no receipt on the 12th?—No, there could not have been. Yes; I see now there is another day, the 12th, which comes in.

836. How much is that?—I believe that is 753*l.* 1*s.* 6*d.*

837. Is there any receipt on the 10th, as you state?—There is.

838. What is it on the 17th?—*£* 853. 0*s.* 2*d.*

839. The 19th?—*£* 488. 3*s.* 6*d.*

840. Will you add those up. How much did you receive during those days?—By this, it is 4,360*l.* 0*s.* 6*d.*

841. Have you any doubt about that being right?—No. I could not tell, because it is signed here by the committee; these vouchers and all were produced.

842. Were you one?—I was present, but I did not sign.

843. Be

843. Be so good as to turn to the Bank of Ireland account of receipts during that time paid in; between the 5th of November and the 19th how much money was paid in?—There is no sum at all there for it, or anything like it that I see.

844. How much was paid in?—It appears by that only 1,284 *l* 14 *s*. 5 *d*. That we had no means of knowing; Mr. Hughes kept that entirely to himself; we never saw that, more than the bank books.

845. But did you never see a balance; did no trustee ever look and see whether these large sums were properly placed in the Bank of Ireland or not?—Upon my word, I for one did not, and I will not answer for any one but myself; that is all I can tell you; I saw that the money went directly into the hands of the cashier, and that it was correct according to the books.

846. But you did not even do that, because much larger cheques were drawn than upon the face of it were authorized by the trustees?—If that is the case, there must have been a reason for which I cannot answer, because it must have been drawn in the way I tell you; the person who signed the draft afterwards must have seen the books; he who signed the last signature to that draft must have seen why it was taken out, and I am very certain that it is on the part of the draft corresponding with the cheque, and it is not improbable that it may yet be forthcoming. I do not know why it should not.

847. You do not know what became of the drafts at all?—No, I do not; I do not mean to say they are not forthcoming; they were never in our custody.

848. Whom do you hold to be responsible for producing those documents?—I take it the cashier; it is his duty to have them.

849. Do you believe he has got them?—I will not say that, but he ought to have them; that is all I say; it is certainly to him I would look for them.

850. Will you turn to the day-book of the 17th of July 1847; how much did you receive?—£ 1,151. 3 *s*.

851. Were you there?—I cannot say that I was. I have no way of knowing whether I was or was not.

852. You do not know what became of that money?—No. "Receipt produced." Again, "1,151 *l* 3 *s*."; the bank receipt was produced for it.

853. Now look at the bank account and see if there is any receipt for the 1,151 *l*. Who produced it?—That is signed by Mr. Thomas Dodd Smith, and I am certain that it was produced.

854. Just look at the bank account and see if there was such a receipt on that day?—There is not the slightest doubt there was a receipt produced, or it would not have been signed there by Mr. Smith. The Saturday's receipt of that tot could not be in the bank receipt until added to by another of the Monday; you must tot two to get one.

855. Take the Saturday; how much was that?—The Saturday is 1,151 *l* 3 *s*.; whether that goes to the Wednesday or not I cannot take upon me to say, or to this, but I know you must tot two of them to get one.

856. Take and add that 1,151 *l*. to both of the previous days?—That is what the bank receipt must have been produced for; the bank receipt was not for the sole sum; there was a receipt produced, and there it is, and the receipt must have been a true receipt.

857. You will allow also that if the receipt was a true receipt it would appear in the bank books?—Decidedly; at least I would take it for granted.

858. Is it possible it can be otherwise?—I should think not; if it is a true receipt, certainly not.

859. Does not the receipt, if true, purport to be that so much money has been placed to the credit of the savings bank in the Bank of Ireland?—Decidedly.

860. And it must appear in the bank account?—I should say so, certainly.

861. Find it.—There must have been a receipt for that; it could not have been signed by Mr. Smith, or by any other man, until he had initialed it.

862. I ask you to show it me in the bank account, that is all?—That there was a receipt produced there I take my oath.

863. If it was a true receipt it must have been in the bank books also?—I should think so.

864. You know it is so?—If it was a true receipt it must.

865. Then where is it?—I cannot say; to me it is an extraordinary thing; that is all I can say. I take my oath there must have been a receipt, or that

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signature would not have been there, and that receipt was produced, and it was initialed, and bears at this moment the initials of the man, wherever it is.

866. Then where will the error be?—Not with the trustees at all events; there is no question of that.

867. I think I am bound to ask you to give me an answer?—How can I say that, if the receipt is produced to me, and purports to be a true one, and I sign it, and it is from the proper officer?

868. At that time Mr. Hughes was acting as cashier?—I suppose so.

869. Which was it, the father or the son, in 1847?—It must have been the son; and I have not the slightest doubt of the receipt being produced.

870. Will you go back upon 1845, and see whether there is any receipt put in for those sums. On the 5th of November 1845 there is 1,003 *l.* 6 *s.* 11 *d.*; is there any receipt produced for that?—Yes; there are separate vouchers produced.

871. Does that mean that there is a receipt produced?—Certainly.

872. By whom is that attested?—Mr. Smith.

873. The same man?—Yes.

874. Look at the 5th of November 1845, and see if there was any sum paid in; is there any sum of 1,003 *l.* 6 *s.* 11 *d.* paid in?—No, I do not see it.

875. Was the receipt produced?—No doubt the vouchers were produced.

876. But it does not appear in the bank book?—I swear that the vouchers were produced, that I know.

877. In the month of November 1845, is there any one of the days on which you saw the receipt; look at the book and tell me?—I see the receipts on this very day, the 5th; I see I was present.

878. But did you see the receipt?—Decidedly; none of us could have a doubt about seeing it; one gentleman called off the names and initialed them as they were called off, and when the receipt was produced it was initialed by the gentleman then in our presence.

879. And you think you were there?—I was present on that day decidedly, and I declare that these vouchers were produced.

880. And you are satisfied that there was no such sum paid into the Bank of Ireland?—I will not answer that question at all.

881. At all events you do not find it in the copy of their account?—Not if it purports to be a true one; certainly I do not see it there.

882. Can you account for that?—Upon my word I cannot; but I am positive that the receipts were produced.

883. And were you present at most of those meetings in the month of November 1845, on the 10th, 12th, 17th, and 19th?—Yes.

884. Were receipts on all those occasions produced?—Yes; whenever that occurs at the bottom, they were produced, and they were on the table, and they were initialed under the sum.

885. What is that on which you have your finger now?—The 12th; it says, "Vouchers produced, 753 *l.* 1 *s.* 6 *d.*"

886. What is the amount?—It is down here 753 *l.* 1 *s.* 6 *d.*, but then it might have been added to, as I say, because they might have taken two or three together.

887. That is the 12th?—Whether back or forward I cannot say.

888. If a receipt was produced for that sum from the Bank of Ireland, must it not have been a false receipt?—I will not say that; I only say that there was a receipt produced; I had no idea of it at all but that everything was correct.

889. But at all events you will admit this, that the Bank of Ireland would not have given a receipt for a sum that had not been lodged?—I admit it. I should be very glad if young Mr. Hughes was here, because I cannot for the life of me believe but that everything was proper.

890. Do you recollect in February 1839 any minute of the superintending committee stating that all the claims arising from 1831 had been discharged?—What date are you alluding to?

891. February 1839.—And the date of the day?

892. The 27th of February.—That was the last Wednesday in February, our general yearly meeting.

893. Do you recollect the report made?—Yes. Mr. Hughes always reported the state of the bank on that day.

894. Do you recollect the committee reporting that they "think it right to apprise

apprise the trustees and managers that there does not remain at present any unsatisfied claims upon the institution, whether from depositors or other persons who had lodged their money, or otherwise, during the periods previously to the year 1831?"—I have no doubt of that.

895. What does that mean?—It means that all claims on awards were paid off.

896. All the awards had been paid off?—Yes.

897. What is "or otherwise"?—I do not know what the word "otherwise" means.

898. Does not it mean that all claims arising out of the old ledgers, either those that appeared on the ledgers or those that had been fraudulently closed or withheld by Mr. Dunn, were paid?—No, I should think not. I should think it only applied to those frauds by Mr. Dunn, and those awards which were paid; what we called the illegal awards; there were two classes of awards.

899. You think that it means all the awards, and all the illegal awards?—Yes, I should think so, and nothing else; I should think so.

900. Were there then any other claims than those?—Not that I know of.

901. That was in 1839?—I think it would be on or about that period. I think the Committee ordered the payment of the last of Mr. Pratt's awards.

902. You do not know anything of the transactions of 1840 and 1841?—I could not say that, because I might have gone occasionally.

903. I want you to take the repayment book of the 13th of January 1841?—I only meant that I was not constantly there; there was a large committee, and we used to relieve one another.

904. Were you present that day?—Certainly; a part of it.

905. How much was on that day repaid to the depositors?—It would appear that a draft was drawn for 1,498 £ 10 s. 1 d.

906. What was the draft really drawn on that day?—£ 2,298. 10 s. 1 d.

907. What is the difference?—£. 800.

908. What does that mean?—I could not tell you; if you saw the draft book, and the last signature, it will be, as I say, in the counter part.

909. Mr. Fagan.] What trustees were present that day?—That does not signify; as I mentioned before, the trustee being present has nothing to say to this transaction at all, because he walked in and walked out; it has nothing to say to this business at all, which occurred in the previous week. All I know is this, that Mr. Mayne gave a return for the amount of that, or Mr. Robinson. If Mr. Mayne was absent Mr. Robinson did it; however, I believe Mr. Mayne always did it; and then if there was anything else to be done, I suppose Mr. Hughes might have added it to the draft.

910. Mr. K. Seymour.] From your knowledge of the transactions of the bank, what possible payment could there be on that day exceeding the repayments?—I cannot say; I have no idea; you are bringing things to my attention that I have not the slightest idea of.

911. I think you say that you only signed last on two occasions, as far as you recollect?—I scarcely think I ever signed more; there was a long time that I never signed at all; there was a long time that Mr. Boileau was there and Mr. Walsh; they always signed the drafts. Mr. Boileau retired and Mr. Walsh died. To the last trustee, whoever it was, a paper was produced.

912. Was there anything by which the person signing last could satisfy himself as to the amount?—It was perfectly understood, and always acted upon.

913. How do you know that?—I know that he always kept the papers, and I am very certain that Mr. Farran has all the papers at this day. I am sure of it.

914. Chairman.] Mr. Farran is 92, is not he?—He is very near it.

915. Is he able to come over here?—I should very much doubt his being able to come here, but there is no doubt if you send any one over to him he would produce the papers. I am very certain he has them. If I had the slightest idea that there was such a thing as this I would have brought over some of the papers.

916. Why did not you bring over all you had?—I give you my word I have not a single paper.

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917. On the 10th of February; look at that repayment book; how much was it?—£ 2,088.

918. Were you present?—I was present at the paying out of that sum; that is all.

919. Look what the cheque was drawn for?—That is a thing which was done previously, and which I could have nothing to say to.

920. Did not you fix the amount of the cheque that would be required for the following day?—No, never. Mr. Mayne's duty was to do that, and which he gave to Mr. Hughes, and it ought to be clearly understood that we had nothing to say to that. This column, of what the depositors required, was filled up according to the Wednesday preceding; and Mr. Mayne made up the interest of each of those sums during the week, and at the end of the week the draft was presented to a trustee.

921. But I am accurate in saying this, that on that day the whole amount repaid to depositors was 2,088*l.* 19*s.* 1*d.*?—Certainly; and that is all that any trustee or manager present could have anything to say to.

922. Look at draft No. 75, on the 10th of February?—£. 2,488. 19*s.*; there seems to be an excess there of something; 400*l.*, is it not?

923. £. 399. 19*s.* 11*d.*?—That is not a thing that I can by any means explain, nor do I, for the life of me, conceive how it could have happened.

924. But I can give you four or five more instances in the same year?—It is very extraordinary; that is all I can say, for I cannot, for the life of me, conceive it.

925. But I think you will agree with me that you and other gentlemen in your position are bound to help us in finding out what it means?—Upon my word I do, most decidedly.

926. Then I want you to tell me how it has occurred?—I have not the slightest idea about it.

927. What is Mr. Hughes doing now?—The young gentleman had nothing in the world to say to this piece of business; he could not; he is a solicitor.

928. Who had?—His father.

929. But the subsequent transactions of the same character he was cognizant of?—Young Mr. Hughes?

930. Yes.—If you ask me my opinion, I should decidedly say not.

931. After November 1843 anything that occurred he clearly was cognizant of?—No; Mr. Hughes was able to manage the cash transactions at home, though he was not able to be out; young Mr. Hughes had nothing in the world to do but see that the money was lodged.

932. How old is Mr. Hughes the father?—I think Mr. Hughes is probably 68 or 69.

933. Is he in a state to prevent him coming over here?—He has perfectly lost his voice, and is totally dead on one side.

934. Mr. Bramston.] Is he in possession of his faculties?—I would not say.

935. When did you see him last?—I saw him about three or four weeks ago.

936. Should you say, having seen him so recently, that he is not in perfect possession of his faculties?—I would not take upon myself to say one way or the other; the ordinary courtesies of life pass between us, and in that he certainly is; as to anything farther than that I do not know; I could not hear a word he said.

937. Chairman.] Now long has he been afflicted so severely?—Since 1843; his voice has been sinking gradually from that time.

938. What means has he of subsistence now?—I think he has private property, and he has a pension from the Crown.

939. What of?—He was secretary to the Barrack Board formerly, under a local Act; he retired upon an allowance.

940. Do not you know what his pension is?—No, I do not; it was the old Irish Barrack Board; he lives in a very nice quiet style; they are gentlemen, but nothing whatever beyond that.

941. Mr. Bramston.] Have you seen Mr. Hughes since you knew that you were coming over here at all?—No; nor have I ever spoken to Mr. Hughes since I was over here, and there has been no communication whatever; I am not aware that old Mr. Hughes ever knew I was here.

942. Chairman.] If the sums in excess of the authorized cheques, as appears by that book, have been drawn, by whom could they have been received, and by

by whom could the surplus have been retained?—They could have been solely received by Mr. Hughes.

943. And the surplus only in his possession?—It is very fair to mention this, that no cash ever went into the trustees' hands in any one case; we never received cash.

944. Supposing the cheques to have been drawn in excess, in whose custody could that excess have remained?—I should say Mr. Hughes's, and no other; it never could have got into the trustees' hands, for cash never was in their possession.

945. Now I will ask you a straightforward question: did you, subsequently to 1839, or did the Bank subsequently to 1839, as far as you know, draw cheques, of which no account was kept, for the purpose of paying any depositors in 1831?—Yes; I think Mr. Pratt's awards were all paid by drafts which were ordered by the committee; I think that is on the minutes.

946. I have already read to you a minute of the superintending committee, which I understand and which you understand to mean, that before 1839 all those awards were paid?—I think you will find that they were paid by order of the committee of the preceding year, or some time.

947. But they had been paid in 1839?—It appears by that, if that report is on the Minute Book, that they were, and that I take for granted; whatever was in the Minute Book, and read, I will take for granted was correct. (*The Minute Book was handed to the Witness.*) This is the report of the superintending committee; that is the report.

948. All those things had been paid in 1839?—Yes.

949. You believe so?—I do.

950. What is that (*handing the report of the committee of last year to the Witness*); just read the heading?—"Statement showing the apparent surplus fund on the 20th November 1831, the payments that have been made thereon in money, and the amount transferred from old to new pass books to the 20th November 1845, and acknowledged as a debt due from the institution to the depositors in November 1831."

951. Who signed that account?—Myself and Mr. Farran.

952. Were not there some payments made on that account after 1839?—These accounts arise out of the embarrassments of 1831. There were two classes of awards by Mr. Pratt; the one was what we called the legal awards, the others were to be deferred to be paid out of a future surplus. The depositors latterly became so excessively troublesome that their cases were brought before the committee over and over again; and then the committee looked into their state and how they were getting on, and I think they ordered a payment of 5 s. in the pound to be made as an instalment for one year. If I recollect rightly, it was increased another year; and then, I believe, but I am not very sure (but this report will tell), that the third instalment cleared all up. Now it is to the third instalment, the clearing up of those claims, that this report alludes.

953. Those payments which were to be made, which we will, for the sake of argument, call illegal awards, were made previously to 1839?—Indeed I should think from that report they were; that is all I can say.

954. Then will you tell me what those payments were which you made subsequently to 1839?—These were the outstanding blue books that were good in the old ledgers, and, for the sake of distinction, they were called illegal, though they were fair and just claims.

955. But they appeared in the old ledgers?—They appeared in the old ledgers, and they were brought into the transfer ledger.

956. What is the other column?—"Transfers from old pass-books."

957. What is the next column?—"Payments made to claimants."

958. Those are the illegal awards?—Mr. Mayne is the best person to tell that, not me; the transfer from the old pass-book I am pretty sure was not; a person used to lodge 1 s., and get his account transferred into our books; and these are the old accounts that have not been so transferred, but were drawn out in the ordinary course of business.

959. Then all the illegal awards had been paid before 1839?—From this I should think so, but I really cannot say.

960. You have no doubt of it, have you?—I have no doubt they were all paid, but I cannot be certain as to dates.

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961. Does not that minute mean that they were paid?—I should think it does.
962. Have you any doubt about it?—I have no doubt, but I will not be positive.
963. But you believe it?—I do.
964. Then any drafts drawn subsequently to 1839 upon the Bank of Ireland in excess of the amount stated in the repayment book cannot have gone to pay any claimants of that nature?—I should say not.
965. Then again I ask you what conceivable reason there can be for the drafts in the years 1841, 1842, 1843, and 1844, to which I have called your attention in so many instances, having been drawn in excess of the amount stated in the repayment book?—Upon my word, I can form not the slightest idea.
966. After the end of 1843 Mr. Hughes, junior, I understand, stood exactly in the same relation to the bank as his father had done previously?—Not in the same relation exactly.
967. What was the difference?—The difference was, that he only carried the cash to the father, and took it from the father; but he had nothing to say to the making up and totting of the book.
968. But he received the cash?—He received the cash.
969. And was bound to find security?—Yes.
970. And did find it?—And did find it.
971. If there were any drafts drawn in excess after November 1843, Mr. Hughes, junior, would have been in possession of the cash received against such cheques?—I know this, that the old gentleman used to go in his carriage to the Bank of Ireland, and present the draft, and draw out the money, and give it to the son.
972. Mr. *Bramston*.] Was not there a time when he could not do it?—He had a paralytic stroke, and never recovered the use of the right hand or the right foot.
973. During the time that the elder Mr. Hughes kept the accounts in a way that was not satisfactory to the trustees, he was unable to go to the bank?—You are right; at the end of 1843.
974. During that time the son stood in his shoes. Did the son transact the business in the manner that the father had done before?—Not for those few months; and I assert that at that time the accounts were correct; that the cash account, and the disbursements, and so on, were correct.
975. *Chairman*.] After you returned to the bank in 1843, you took part in preparing and passing the accounts which were furnished to the National Debt Office?—They were furnished to me by the proper officer, whose duty it was to do it, and I took it upon his representation. I am not answerable for any errors that there may be; I am only answerable for what was there; whatever was furnished to me by the proper officer I took as correct.
976. That is the account which Mr. Mayne states that he gave in to the trustees, as the account of the liabilities of the bank on the 30th of November 1844 (*handing the same to the Witness*)?—I think he must have made an error; I think he may have given it to Mr. Hughes, but he never gave it to the trustees.
977. But Mr. Hughes did not lay it before the trustees?—No, I never saw it, and I assert that he never did.
978. And did you never ask to see it?—I do not think the Board ever did. I have nothing to say but to my own individual case; I never did; we knew that Mr. Mayne's duty was to furnish Mr. Hughes with the statement of the books.
979. But you never asked to see it?—Never; and I never heard a member of the Board ask for it.
980. Did you believe that the account sent in was an accurate one then?—We did, most decidedly, as accurate as could be made out under the circumstances; that I have not the slightest doubt of.
981. But had you no doubt on your mind that the account given of the claims of the depositors on the bank was an accurate one?—I had not the slightest doubt of it; it has only recently come to my knowledge that it was not.
982. And you had no doubt of it at the time?—Never; not one of us.
983. And at the time you never asked to see the bookkeeper's book of what was actually due?—Never; it was the bookkeeper's business to give it to Mr. Hughes, not to us.

984. But

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984. But was it not Mr. Hughes's business to lay it before the trustees?—We generally took Mr. Hughes's word for it as correct; it was his business to make out the public account, as the paid officer of the institution, and I signed it upon his attestation; it was his business to do so; he was paid for doing it, and I know he produced the account always and went through it.

985. Did you ever see Mr. Byrne's Report in 1831?—No, I did not.

986. Why did not you?—In 1831 I was only attending the bank, for I was a very young man at that time, and the old trustees were men of business at that time; I only know Mr. Byrne was there.

987. You took a very active part at the time that the communications were held with the Government?—Yes; that is in 1831.

988. Yes?—I certainly did.

989. You never heard that a report had been made by Mr. Byrne then?—No. I knew that Mr. Byrne had been examining the books, but I never heard that he made a report, nor do I think he ever did. I heard Mr. Byrne complain that unless the whole business of the bank was stopped, unless we should cease receiving and paying out, he could not make any report.

990. You do not know what he stated to be the deficiencies then?—I certainly do not.

991. Have you refreshed your memory since you were here last; do you know at all what the total amount of Mr. Dunn's defalcations was?—I think the total amount of Mr. Dunn's defalcations must have been over 30,000 *l.*; 20,000 *l.* was made out unquestionably in 1831, and afterwards, to my own certain knowledge, numbers came in; so that I think Mr. Dunn's defalcations must have amounted to over 30,000 *l.*

992. Supposing that the deficiency when you closed in 1848 was upwards of 60,000 *l.*, what became of the difference?—Upon my word I could not say; no way in the world, if it had not been for the interest and the expense of management, because there was a long time that the bank did not pay its expenses; from 1831 up for some years it was a dead loss every year paid out of the capital.

993. But out of the surplus you paid off depositors?—There was no surplus fund.

994. There was a deficiency every year?—There was a deficiency from Mr. Dunn in 1831 of 20,000 *l.*, and it may have been more afterwards; there was no surplus fund.

995. Mr. Fagan.] Do you see that account, "Classification of depositors' accounts," furnished to the Commissioners for the Reduction of the National Debt? what is the amount?—£. 262,000.

996. Was that furnished by Mr. Hughes?—Yes, it must have been.

997. This is the account which the book-keeper, Mr. Mayne, states that he furnished to Mr. Hughes, with a view of enabling him to make this return (*handing the same to Witness*); what is the amount?—£. 281,175.

998. And Mr. Hughes furnished the Commissioners of the National Debt with 262,001 *l.* 19 *s.* 7 *d.* Supposing this account to have been furnished him by Mr. Mayne, what motive could Mr. Hughes have to give in an account 20,000 *l.* less?—I cannot tell you.

999. You have not any knowledge of that?—Not the slightest idea, nor ever was I aware that any such things ever occurred until lately; it is the most extraordinary thing I ever knew. Mr. Hughes always did impute that he was to make out the accounts in reference to an agreement between him and the officers on this side of the water.

1000. *Chairman.*] Is that the way in which you explain the omission on the part of the trustees to examine into the details of the accounts rendered?—I should think it would go a great way to stop any very close investigation; because I heard it mentioned at the Board, by whom I do not know, but I did hear it distinctly mentioned, that there was to be no account shown to the Government of a debt exceeding 20,000 *l.*, or it would not be received; now that observation may go for nothing, if you like it; where it came from I do not know, but it was distinctly stated.

1001. You were a trustee in 1847?—Yes.

1002. What is the deficiency which you show in that account of 1847?—£. 32,922. 16 *s.* 1 *d.*

1003. When you passed that account did you make any remark as to the

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discrepancy

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discrepancy with such an agreement as you have alluded to?—I certainly did not.

1004. Who made out that account, young Mr. Hughes?—No; young Mr. Hughes never did it.

1005. Who did it then?—His father, Mr. Hughes, senior.

1006. His father I thought was incapable?—He was incapable of walking and incapable of writing, but not incapable, certainly, of doing business.

1007. Then did he dictate to his son?—No.

1008. Whom did he dictate to?—That I cannot tell; all this was done at his own private house.

1009. And not at the bank?—No.

1010. And he made out the accounts in such a shape that you signed them?—He did.

1011. At his private house?—At his private house; he brought them to the bank.

1012. He brought them himself?—He brought them himself to the bank in his carriage; he was able to hobble up with assistance.

1013. And brought them into the room?—And brought them into the room to have them signed.

1014. Did he send them?—I think he always came with them himself.

1015. Should you be surprised to hear that on the 20th of November 1847, instead of a deficiency of 32,000 *l.*, there was a real deficiency of 60,830 *l.*?—I should think it must have been that.

1016. Is that from subsequent information, or from previous information?—Subsequent information; now you have asked me should I be surprised; I say not.

1017. You did not think it was more than what was really stated?—No, I did not; I think the impression upon my mind in making it up in a rough way was, that it amounted to very nearly 40,000 *l.*

1018. You knew that that could not go on?—I think we laid out at that time that the heavy lodgments coming in would ultimately repay it.

1019. Would repay 40,000 *l.*?—There were always some going in to the Committee, and some coming out. I do not think the very awkward question was ever mooted; the transaction of the machinery went on.

1020. But did it never occur to you as a clergyman of the Established Church in Dublin, what would be the consequences to the unfortunate people who deposited money there, of allowing them to deposit money in a bank insolvent to such an extent as that?—Upon my word I looked upon it that you ought to pay it if it ever did occur; otherwise I never would have had anything in the world to say to it; and that was an impression left upon us in 1831, that if ever the crash came you would pay it, and I went to the Lord Lieutenant in Dublin, and told him so.

1021. And you have never seen that account which was presented to the trustees and managers of St. Peter's Parish Bank, on the 2d of April 1831, by Mr. Byrne?—I never saw it.

1022. You never heard of it, nor heard it read?—I did recently, but I certainly never heard it read; I was not aware that he had done so.

1023. Can you at all explain why that report was not communicated or shown to the Government, when Mr. Foot came over here?—I have not the slightest idea why it was not done. In the first place, I was not aware that he had made any such report.

1024. But you do not now know, and cannot explain why it was not shown to the Government?—No.

1025. Does not the fact of withholding such a report as that, with accurate and definite information of that kind, very much shake your faith in any claims upon the Government?—No, not the slightest; you should first show me that Mr. Byrne's account is an accurate one; you should first prove to me that Mr. Byrne's report is an accurate one. In the first place you have to prove that he made it, and in the next place, that it was an accurate one before such a thing could ever come to my hearing.

1026. The report is in your possession?—I never saw it, and never heard of it.

1027. Who was Mr. Byrne?—He was a public accountant, a very respectable man; he was employed by the old trustees, who were all merchants.

1028. To

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1028. To investigate the accounts?—I suppose so by that, but I never heard that he gave a report; I know he was a very short time doing it. I was not allowed to interfere with the matters of the bank at that time; the old members did it at that time, and we did not interfere, except as clerks; that was all.

1029. You were aware that Mr. Byrne had examined the books?—I was aware that Mr. Byrne had been employed by the Committee; that I was aware of, as a matter of fact.

1030. Did you never ask what was his opinion?—I was a very young man at that time, and the bank was in other hands; it was in the hands of 20 or 30 gentlemen of the first respectability, as merchants in Dublin.

1031. If that report was made, and if it was withheld, would it not have been a most wilful concealment from the Government of the real state of affairs?—I can only answer for myself; I never heard of it. The other day, I mentioned to Mr. Mayne that I never heard of such a report. To tell you the truth, I think that Mr. Byrne could not have reported; I think it is impossible; that would be my impression, that he could not have done it. I perfectly remember Mr. Byrne stating at the foot of the table in the Board room, that unless we closed the business of the bank, and shut it up, he could not give a report, and I think they paid him his account and dismissed him.

1032. But you never saw the report, nor knew that he had made one?—Never.

1033. And it is your justification for going on with such an enormous deficiency, that you felt that the Government ought to pay it?—I think you must say that I should have been very mad to have stayed in the bank otherwise, if I would have risked my property in an institution of that kind.

1034. And your only ground for such a supposition was the belief of some agreement between Mr. Hughes and the Commissioners?—Not at all; old Mr. Pratt, when he was over in 1831, gave us that understanding; there is not the slightest doubt of that.

1035. He told you that the Government would pay it?—No; but that the Government sanctioned the carrying it on, and he certainly said that the Commissioners of the National Debt would do whatever he bid them do; he made use of those very identical words. Mr. Foot asked him the question, would they take our accounts 20,000 *l.* short, and he said, "They will do whatever I bid them do;" that is exactly what he said.

1036. What is Mr. Hughes's Christian name?—The young gentleman, John Emanuel; the old gentleman's name is John.

1037. What is Mr. Robinson's name?—Mr. Robinson is dead; that is the reason I have been so delicate in making use of his name; he died rather suddenly.

1038. How long ago?—About a year and a half, I think now, and you have the greatest loss in him, for he was a perfectly first-rate accountant.

1039. Have you seen old Mr. Hughes lately?—Yes; I saw him in his carriage; I never hear a word he says; he speaks, and then it is told to me what he means to say; his voice is gone.

1040. Can his son understand him?—I would not take upon me to say that he would.

Lunar, 10^e die Junii, 1850.

MEMBERS PRESENT.

Mr. J. A. Smith.
Mr. H. Herbert.
Mr. W. Fagan.
Mr. Bramston.
Sir John Yards Butler.
Mr. Ker Seymour.

Sir George Clerk.
The Chancellor of the Exchequer.
Sir W. Gibson Craig.
Mr. Goulburn.
Marquis of Kidare.

JOHN ABEL SMITH, ESQ. IN THE CHAIR.

John Emanuel Hughes, Esq., called in; and Examined.

J. E. Hughes, Esq.
10 June 1850.

1041. *Chairman.*] WHAT papers or books have you brought with you?—The pass-books between the trustees of the Cuffe-street Savings Bank and the Bank of Ireland, and also the drafts and receipts.

1042. Anything else?—Nothing.

1043. Why were not those given up before?—I understood that duplicates of the pass-books between the Bank of Ireland and the trustees had been got by the committee and handed over to the Committee by the Bank of Ireland.

1044. Who told you so?—I heard it from Mr. Clay, and I saw it stated in the paper.

1045. How did that prevent you from giving them up; Mr. Martin asked for them, did not he?—He did.

1046. Did you tell him that you had got them?—I did not.

1047. Did not you tell him that you had not?—No, I do not think I did.

1048. Are you sure?—I do not know that I did. Mr. Martin asked me whether there was any book, any register of the drafts signed by the trustees kept in a book; whether I had it, and I said I had not.

1049. Did not Mr. Martin want the paid vouchers?—I do not recollect his applying for them.

1050. Allow me to recommend to you to think carefully before you give these answers. Did not he apply to you for them?—I do not think he did.

1051. Did not you know that he must want them?—No.

1052. Are the whole of them there, from what period?—From 1831 up to the close of the bank.

1053. Where are they before 1831?—I do not know.

1054. Was not your father agent then?—He was not.

1055. Who was?—Mr. Dunn.

1056. At what date were you appointed in your father's place?—April 1844.

1057. At that period you discharged all the duties of agent in your father's place?—Yes, I was appointed as cashier; I discharged all the duties.

1058. What were those duties?—Making the repayments, receiving a certain portion of the lodgments so far as I could, and lodging the money with the Bank of Ireland, and lodging at interest.

1059. Nothing else?—Nothing else.

1060. Did not you receive the money in exchange for the cheques drawn on the Bank of Ireland?—I did, I have stated that.

1061. You paid in the money and received the money for the cheques drawn by the savings bank on the Bank of Ireland?—I did.

1062. Subsequently to what date?—April 1844.

1063. Was that the first period at which you took any part in the management of the bank?—It was.

1064. After you joined the bank, did the Savings Bank at any time cease to employ the Bank of Ireland as their bankers?—They did not.

1065. They paid in all the monies received, and drew out all they wanted by cheque?—I paid in all the monies that I received, and I accounted monthly with the trustees.

1066. The sum total of receipts from the public was paid in to the Bank of Ireland, was it?—Yes, with the reductions of expenses; the sum total was not.

1067. By

1067. By whose authority were those expenses kept back?—By order of the trustees. J. E. Hughes, Esq.
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1068. Have you any orders to show?—No.

1069. They did not draw cheques for their expenses?—Not for all their expenses.

1070. What expenses did they not draw for?—They did not draw cheques for all their salaries; there was the salary of one clerk, for whom they did not draw cheques, and different other incidental expenses; considerable expenses during the year 1845.

1071. Did you make up the accounts for the Commissioners of National Debt in 1844?—I did not.

1072. Who did?—My father did.

1073. I thought you said that you performed all the duties of agent?—I stated that I performed all the duties as cashier, and also receiving money, and lodging it in the Bank of Ireland, and lodging at interest; I never prepared a Government account, nor did I even see one until after the bank closed.

1074. We have it in evidence here, that Mr. Mayne gave you, in 1844, the account of the depositors in the ledger; the published claimants, as appearing in the ledger in November 1844, into your hands?—Not into my hands; I do not think that.

1075. He states that he did; he did not?—That he gave it into my hands?

1076. Yes, into your hands?—No, I do not think that he ever did.

1077. Are you sure he did not?—I have not the least recollection; to the best of my knowledge he never gave me any document connected with the Government account; he might have given me a parcel directed to my father, and I might have been the messenger of it, but I do not think it is possible that he ever did.

1078. Did you ever see that account before? (*handing to the Witness the account produced on the last day by Mr. Mayne*)—No, I am quite sure I never did.

1079. Or anything like it?—Before the closing of the bank?

1080. In 1844?—I am quite sure I never did; I am positive I never did.

1081. Then you were not a party to any alteration of that account?—I was not.

Mr. Robert Scarborough Mayne, again called in; and further Examined.

1082. *Chairman.*] YOU told us when you were examined on Wednesday that you gave that account for 1844 to Mr. Hughes?—Yes. Mr. R. S. Mayne

1083. He denies your doing so?—I meant his father. In fact, I do not say that I gave it into Mr. Hughes's hands, I transmitted it for Mr. Hughes; I never meant that I gave it to young Mr. Hughes; I do not exactly know whose hands I gave it into, but it was for his father.

[Mr. Mayne was directed to withdraw.]

1084. (*To Mr. Hughes.*) Was not that at a time when your father was incapacitated for attending to the duties of the bank?—He was rendered perfectly incapable of performing any of the active duties of the bank, because in October 1843 he was affected with paralysis, and lost totally the use of his right leg and his right arm; he had not then lost his speech, nor was his mind in the slightest degree affected. I believe in March 1844 he applied to the trustees to allow me to act in those duties which he could not perform, in consequence of having lost the use of his right side, but he always attended the Board, and prepared those documents for the Commissioners. J. E. Hughes, Esq.

1085. The annual meetings you mean, not the weekly meetings?—The monthly meetings; he always attended the monthly meetings.

1086. Though he had lost the use of one side?—Though he had lost the use of one side he was able to walk with two persons assisting him; but he always attended the monthly meetings up to the commencement of 1847, I think.

1087. Then you were not a party to any alteration in the account as supplied by Mr. Mayne sent to the Commissioners for the reduction of the National Debt in the year 1844?—I was not; I never saw one of the accounts then.

1088. Either then or subsequently?—Either then or subsequently.

1089. Till after the stoppage of the bank?—Till after the stoppage of the bank;

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bank; the only account I ever saw of it was the account of 1844, which had been transmitted. I recollect seeing that, and I recollect giving it to one of the managers, a Mr. Smith; I got it from my father for him at his request.

1090. Will you be so good as to take that book in your hand (*handing a book to the Witness*). What book is that?—I do not know; I do not recollect ever seeing this book before.

1091. Is not that your handwriting?—It is not.

1092. Whose is it?—That is the handwriting of one of the book-keepers, Mr. Robinson.

1093. Who is dead?—Who is dead.

1094. That is subsequent to your joining, is it not?—No, it is not, it is previous.

1095. Look on the other side?—This is March.

1096. Is it not April on the credit side?—It is.

1097. What is that first item; read it?—"By cash handed you per draft on Bank of Ireland, 630*l*."

1098. What does that mean?—I do not know, upon my word; I never saw that book before, and that draft was never handed to me, I am confident. I do not recollect exactly the day in April 1844 that I commenced, but I am quite sure that that was a transaction to which I had nothing to say.

1099. You know nothing about that book at all?—I do not; I never saw it before.

1100. Be so good as to give me the pass-book of the 5th of November 1845. (*The Witness produced the same. The day-book of the 5th November 1845 was handed to the Witness.*)

1101. You have the day-book of that date before you?—I have.

1102. How much was received on the 5th of November 1845, from depositors?—It appears by this 1,003 *l*. 6 *s*. 11 *d*.

1103. How much was received on the 10th of November?—£1,284. 14 *s*. 5 *d*.

1104. With regard to that first item, 1,003 *l*. 6 *s*. 11 *d*., take the pass-book in your hand. Was that paid into the Bank of Ireland?—No, there does not appear any entry here.

1105. Why was not it?—This was either during the run or immediately subsequent to the run; during the run no lodgments were ever made.

1106. Why were not they made?—That account was settled with the trustees.

1107. Where?—There was an account prepared by Mr. Robinson, the second book-keeper.

1108. Where is it?—I suppose it is amongst the books that Mr. Martin got; it was handed by him to the trustees.

1109. What is it called?—I do not think the book was endorsed, it looked something like that (*pointing to the book before handed by the Chairman to the Witness*).

1110. Do not you know what it was called; was any name given to it. Is that the book?—No, that is not it; there does not appear to be anything in that, except March and April 1844.

1111. There is a great deal in it, more than that; but you say that is not the book?—Not the part that I saw.

1112. I must trouble you to go on. On the 10th of November there was how much received from depositors?—£1,284. 14 *s*. 5 *d*.

1113. How much was paid in?—£1,284. 14 *s*. 5 *d*.

1114. How do you reconcile that with your last answer, that you did not pay in?—I cannot reconcile it of course.

1115. Then it is not true what you told me you did pay in?—That was paid in.

1116. Why was not the other paid in?—I cannot now really recollect. I cannot explain it; that account was settled most carefully by two of the trustees.

1117. It is quite clear that it will not do with a Committee of the House of Commons to make that sort of answer; you must be prepared to give the explanations more explicitly?—I cannot give any explanation with regard to that.

1118. Was not it your duty to pay the money in?—It was my duty to pay all the money that I received in.

1119. And did not you receive that; are not your initials to that as having received it, in the day-book?—No, there is no initial of mine.

1120. Is

1120. Is there no attestation to your having paid it in there?—No, there is *J. E. Hughes, Esq.*
not.

1121. Is there to the next one, the 12th?—There is not.

1122. Were not you in the habit of doing that?—No.

1123. What book is it in which there appears to be produced the receipt from the Bank of Ireland for monies paid in; does not it appear in the day-book?—It does: this appears to be "settled per vouchers produced."

1124. Does not that mean, and is it not the usual term employed throughout the book, to prove that you produced the receipt from the Bank of Ireland for the money paid in?—No; during the run, and immediately subsequent to it, you will find it is stated, "settled per vouchers produced;" it was a distinct account by Mr. Robinson, and settled by Mr. Smith and Mr. Fox, the two trustees, and there was not a single receipt produced.

1125. Sir J. Y. Buller.] You mean no receipt from the Bank of Ireland?—
No receipt from the Bank of Ireland.

1126. Who would have the particulars, then, of those accounts, and the vouchers?—That account ought to be amongst the books that were given to Mr. Martin; it ought to be in Cuffe-street; I do not know whether amongst the documents that were given to Mr. Martin; it ought to be in the bank at Cuffe-street.

1127. *Chairmen.*] Be so good as to go to the 12th of November in the same book; how much money was received that day:—£. 753. 1s. 6d.

1128. Read the attestation at the end!—"Settled per vouchers produced;
cash over 3 s. 6 d."

1129. Did you pay that in ; look at the book ?—No, it does not appear to have been paid in ; the run was going on at this time, and during the run there never were, at least generally speaking, any lodgments made : that was the direction of the trustees, and the money received from the depositors was applied, generally speaking, in paying the redemption drafts.

1130. On the 5th of November you did not pay in; on the 10th of November you did pay in, and on the 12th of November again you did not; you surely can give us some explanation of those three circumstances?—I cannot give you any explanation.

1131. When did your run cease?—It ceased about January 1846. I think it ceased about January 1846.

1132. On the 17th of November how much was paid in?—£. 853. 0 s. 2 d.

1733. On the 19th?—£. 466. 3 s. 6 d.

1134. What is the attestation at the bottom of the 853 l. o. s. 2 d.?—"Settled per vouchers produced."

1135. Now go to the 466 L 3 s. 6 d., what is the attestation at the bottom?—
 "Settled per vouchers produced."

1136. Did you pay in either of those sums?—No.

1137. What sum did you pay in on the 13th of November?—On the 12th of November there appears 1,284 £ 14 s. 5 d., and 660 £ 14 s.

1138. What is that 660 L. 14 s. 7?—The only way I can account for it is, that it was a balance not required for the repayments; but during that run the direction of the trustees was that no lodgments should be made, and during the run I do not think I ever received a lodgment at all; speaking as accurately as I can, I am quite sure I never did receive a lodgment.

1139. I presume you mean that during the run the call for the depositors' money was made out of payments made at the bank by other depositors, without drawing cheques for it?—No.

1140. What did you do with it then?—I believe that the drafts were so heavy, and expected to be greater every day, that the trustees were anxious that any money that was received should be kept towards those drafts, and also for a considerable time every day they put in a notification draft for 5,000 *l.*, so as to keep as large a sum to their credit as possible.

1141. Then I am accurate in stating that what you mean is, that during the run the application for the depositors' money, who wanted to be repaid, was in fact met by other depositors' money paid in?—It was, no doubt of it, in part.

1142. Therefore all the money so paid must appear to the debit of depositors' account in the ledgers of the bank?—I suppose it must.

1143. Do not you know it must?—Yes, I suppose it must.

1144. Then will you be so good as to explain to me why the amounts appearing
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deficient upon the balance of that year are those amounts which I have now drawn your attention to, short of 660*l.* paid in as making the deficiency of the year; they are not accounted for in the books at all?—I never heard that statement before, and I cannot account for it.

1145. It does not matter whether you ever heard it before; the fact is so, and you are the responsible party for it?—I did not think I was responsible.

1146. You never looked at the books?—I never saw the books, nor do I know anything about book-keeping; I never looked at the books in my life.

1147. You cannot tell us the name of the book in which that account was kept which discharged you from those receipts?—There was no endorsement, I should think, upon the book; it was a small book.

1148. You do not know what is the name of it?—I do not think there was any endorsement upon it, it was a small book. During that run I did nothing except pay out so far as I was able, and during that run I was not the sole person acting as cashier, and during the run I never received a single lodgment. I should think, if you take the amount of notification drafts to the Government, and compare that with the amount that was paid to the depositors during that run, it will be found that it was short by those sums; that is the only way I can account for it; for the amount of those lodgments; I do not conceive that I was the solely responsible party.

1149. Will you refer to the book of the 17th July 1847; how much is stated there to have been received from depositors?—*£. 1,151. 3*s.**

1150. What is the attestation at the end?—“Receipt produced for 1,151*l.* 3*s.*”

1151. Now turn to the pass book, and see what you paid in that day?—There does not appear here to be any lodgment upon that day.

1152. What receipt did you produce?—I must have produced a receipt for that sum.

1153. But you did not pay it in?—It was not always the case, and very frequently it was not the case that the receipt tallied in date with the day-book; generally speaking it did not.

1154. Did you pay in anything to the Bank of Ireland that day?—I did not; but I must have paid in on some particular day 1,151*l.* 3*s.*, and produced a receipt for it.

1155. What is the date of that?—The date of that is the 17th of July 1847.

1156. But you paid no money in that day?—It does not appear by the book that I did.

1157. Not any?—None on the 17th.

1158. Then how could you have had any receipt?—I could, because I might have lodged it in the following week.

1159. Mr. Bramston.] Is there any later payment in that book of that amount, or which would include that amount?—(*The Witness referred to the book.*)

1160. Chairman.] Take the next receipt day after the 17th of July?—I have it; the 21st of July.

1161. How much was that?—*£. 509. 0*s.* 5*d.**

1162. Did you pay that in?—No doubt I paid it in, because I produced a receipt for it, and those receipts were carefully compared.

1163. What did you pay?—There does not appear in this pass-book to have been any lodgments of that amount on the 24th, but there must have been a lodgment of a subsequent date. Now I can explain that item; here is a lodgment on the 29th of July of 200*l.* On the 5th of August there was a lodgment of 309*l.* 0*s.* 5*d.* and those two receipts were the receipts which were produced to Mr. Smith and initialed by him.

1164. That is on the 21st of July?—On the 5th of August and the 29th of July.

1165. Then they have nothing to do with the 1,151*l.* on the 17th of July?—No, they have not; those two were the amount of the 21st.

1166. Then will you be so good as to go back to the 1,151*l.*; and as the two subsequent payments into the bank could have nothing to do with the 17th of July, explain to us what you did with that money?—I am positive that I lodged that amount, whether it was at one time or at different times, in the Bank of Ireland, and that I produced receipts to that amount.

1167. You will not be surprised if I ask you to show me where the lodgment is in the pass-book?—There does not appear to be any lodgment of that amount.

1168. There could have been no lodgment if it does not appear in the pass-book?—

book?—Because the day on which the lodgment was made never did in any one case from the time I acted correspond with the date appearing in the day book; it never did, nor could it, because very often the lodgments have amounted to 1,000 *l.* or 700 *l.*, or various sums, and that amount has been advanced and paid back to depositors on that very day, and I, as cashier, in fact, did not receive one shilling.

1169. I ask you this: that book I understand to state that on the 17th of July you produced a receipt from the Bank of Ireland for 1,151 *l.* 3 *s.*?—So I say I did; I do not mean to say that I produced one receipt, because I do not know; but I am positive of this, that I produced either one or two receipts amounting to that sum, and that it was duly passed and certified by Mr. Smith.

1170. Will you show us in the pass book any amounts that will make up 1,151 *l.* 3 *s.*?—No, I cannot lay my hands upon any one.

1171. Will you go to the receipt day previous to the 17th of July?—"The 12th of July, 527 *l.* 17 *s.* 4 *d.*; receipt produced for 527 *l.* 17 *s.* 4 *d.*."

1172. Look and see if you paid it in?—It does not appear to have been paid in as of that date, nor could it have been.

1173. At any date?—Yes, I find it here under the date of the 23d.

1174. Then the amounts previous to the 17th of July, and the amounts subsequent to the 17th of July, are both accounted for?—Yes.

1175. Sir W. G. Craig.] You state that that sum was paid in on the 23d?—I do.

1176. Then how could you produce the receipt upon the 12th, if it was not paid in till the 23d?—It was not produced on the 12th; these accounts were settled monthly, and then I was bound to produce the receipts for the lodgments during that month, and it very often happened, supposing there was a lodgment of 1,000 *l.*, or very close upon it, and that I was able to lodge on a given day a sum equal to that at the close of that day, though, properly speaking, it should have applied to the previous day, I made a lodgment of the exact sum of the day book of that particular day; but in no case could the date of the lodgment in the Bank of Ireland correspond with the date of the lodgment in the ledger or the day book; it could not in any case correspond.

1177. *Chairman.*] Is there any lodgment in the Bank of Ireland that corresponds, not in date, but in amount with 1,151 *l.* 3 *s.*?—No, I am not able at present to lay my hand upon it.

1178. But you can account for the amounts paid both previously and subsequently?—Yes, I have found those.

1179. Then where is that amount; where is the money; what did you do with the money?—The money was duly applied by me, and accounted for, and the receipt produced, I am positive.

1180. What evidence can you give the Committee of that?—I cannot give the Committee any evidence.

1181. You declare that you produced the receipt?—I do.

1182. Have not you got the receipt?—I suppose it is amongst these papers.

1183. Let us look at it. (*The Witness looked over some papers.*) Have you found it?—No, I do not find any receipt amongst those for that sum.

1184. Mr. Bromston.] Have you receipts for the sums which were paid on the previous and subsequent days.

1185. *Chairman.*] Take the 12th of July, and see if you can find the receipt; how much is it?—£. 527 *l.* 17 *s.* 4 *d.*; here is 527 *l.* 17 *s.* 4 *d.* (*producing a receipt*).

1186. These is that receipt?—On the 12th of July.

1187. Now be so good as to go to the subsequent day, to the 17th of July; what is that?—The 19th.

1188. What is the amount?—£. 742 *l.* 0 *s.* 4 *d.*

1189. Do you say that you produced that receipt by the book?—Yes.

1190. Look for it.—(*The Witness produced the same.*)

1191. You have given us the day before and the day subsequent; where is the receipt of that day?—I have looked through these, and I do not find it.

1192. Those are the receipts which you referred to; those are the receipts for those amounts?—They are.

1193. Now I want the receipt for £. 1,151 *l.* 3 *s.*—(*The Witness looked through the receipts.*)

1194. Sir W. G. Craig.] Will you produce all the receipts for the month of July?—I have them all here.

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1195. *Chairman.*] Pick me out those for the month of July.—*(The Witness handed the same to the Chairman.)*

1196. You cannot find it?—No.

1197. Why cannot you find it?—I never saw those receipts since they were produced to the trustees.

1198. But you have had them in your custody?—They were in the safe in the bank at Cuffo-street; that was the general place for putting them each month.

1199. When did you take them away?—I took them away at the time of the closing of the bank; the day before the bank closed.

1200. They were under your lock and key in the bank, were not they?—They were.

1201. And you have had the custody of them ever since?—Yes, I have.

1202. Where is that receipt?—I do not know.

1203. You must be aware that you must give an answer to that; I must report you to The House if you do not make up your mind to tell me.—What answer can I give you; it does not appear amongst those, and I have not got it.

1204. You must give me a reason why it does not; you have the custody of them, and you had the custody of them; then there is the attestation that it was produced; you must tell me what you have done with it, and you must tell me what you have done with the money; you had better make up your mind at once to tell me.—I cannot tell you; I cannot give you any answer.

1205. It is quite unaccountable that every other receipt should be in, and that should not; I call upon you to state what you have done with the money, and what you have done with the receipt?—As to the money, I say that I duly accounted with the trustees most accurately.

1206. Did you produce any receipt that day?—I must have produced a receipt.

1207. Where is it then?—I cannot find it here. I do not know what might have been the date of that receipt, it might have been dated a month subsequently.

1208. But how can that be, when you paid in the sum received the day after?—If you go through the receipts, you will find that the dates of the receipts in no cases agree with the dates of the day-book.

1209. I am quite aware of that; but you have accounted for the sums received on the subsequent days, have you not?—Yes.

1210. And the preceding day, have you not?—I have.

1211. Then where is that?—That may be a receipt dated in August.

1212. Then did you keep the money in your pocket?—No, I lodged the money.

1213. But you could not have lodged the money?—I must have lodged the money to that amount.

1214. When?—Every week I lodged every shilling that I received.

1215. Do not you mean by using the word "lodge," that you paid it into the Bank of Ireland?—I paid it into the Bank of Ireland.

1216. Then show me the evidence of your having paid it into the Bank of Ireland?—I could not have paid it in that day; or possibly I could not have paid in 500*l.* that day.

1217. Did you do it during the month; I ask you to produce me the receipt, whether it is of one date or another; I do not tie you down to the date?—I have looked through all these receipts, and I do not find any receipt for 1,151*l.* 3*s.*

1218. It must have been there?—There must have been either one or more receipts amounting to 1,151*l.* 3*s.* produced.

1219. Do you know who was there that day?—Mr. Thomas Dodd Smith.

1220. Who was he?—He was one of the managers.

1221. Is he dead?—No, he is alive.

1222. *Mr. K. Seymer.*] Was there any run upon the bank at this time?—No.

1223. What date of the month were your monthly meetings generally?—The first Friday in every month.

1224. *Chairman.*] You decline to give us any further information about it?—I cannot give you any further information.

1225. And you decline to produce the receipt?—I have not got it; I do not find it here.

1226. If it had been in existence it must have been there?—It would be, most likely.

1227. Could it be anywhere else?—No, it ought to have been there.

1228. Can

1228. Can there be a receipt without a similar sum appearing in the Bank of Ireland pass book?—There must be lodgments in the Bank of Ireland book for that amount.

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1229. During that month?—I do not say during that month, but between the passing of one account and the passing of another, the monthly account.

1230. When was the last account passed?—Unless I had the minute book I could not say. (*The Minute book was handed to the Witness.*) There does not appear to be any minute here in 1847.

1231. At all?—No.

1232. Why was there no minute in 1847?—I do not know; there was no entry of minutes in this book subsequent to 1846.

1233. Why was that the case?—My father was then in such a state that he was not able to have it done.

1234. I thought that you were to perform his duties that he could not perform?—So I did; I was cashier; I never entered a minute.

1235. I want you to tell me when was your last settlement previous to the 17th of July?—It is impossible for me to say; the usual days were the first Friday in every month.

1236. Was not that invariable?—Sometimes the trustees for their own convenience used to alter it.

1237. But there was a settlement every month?—There was a settlement every month.

1238. And you have no doubt that you settled during the month of August for the receipts in the month of July?—I have no doubt that I settled every one of the accounts; there were different times I was absent; there was one time I was absent for three months.

1239. Was that during that time?—It was some time in 1847; I cannot exactly say whether it was during this time.

1240. Who acted for you during your absence?—Generally Mr. Robinson or Mr. Mayne, or perhaps one of the trustees or managers.

1241. Are not your initials to that book?—No, they are not.

1242. What book could you turn to, to give any evidence whether you were there or not at that time; the repayment book?—No; I do not know; possibly in some of the pass books.

1243. Turn to the repayment book of July?—My initials do not appear in the repayment book, but in the slip book.

1244. Do they appear in that book before you anywhere?—No, but in the slip books.

1245. Whose writing is that, "Settled by vouchers produced"?—That is Mr. Robinson's the book-keeper's.

1246. Sir W. G. Craig.] Were the pass books of the bank produced to the trustees at the monthly settlement?—They were.

1247. Regularly?—Regularly.

1247*. The trustees then saw them?—Yes, the attending trustees.

1248. Chairman.] Did they always see them?—They were always on the table.

1249. Sir W. G. Craig.] Did they compare the entries in the pass books with the receipts produced?—No; in some cases they did, and sometimes they did not.

1250. But generally they did?—Generally, while one trustee was checking the receipts with the day-book, another trustee or manager was looking at the Bank of Ireland book.

1251. But they always checked the receipts with the pass-book?—No, I do not think they always checked the receipts with the pass-book; they always checked the receipts with the day-book.

1252. But the lodgment of money in the bank they checked with the pass-book?—No, the receipt for the lodgment in the bank they checked with the day-book. It was not a matter of practice to check the receipt with the Bank of Ireland book. The practice was to check the receipt with the day-book.

1253. Could any of the trustees have been ignorant of the existence of pass-books?—No, I think not; no trustee or manager that ever attended the monthly meetings.

1254. Chairman.] No such trustee could be ignorant of the existence of a pass-book?—I should think not. So long as my father was able to attend, he always laid upon the table the trustees' account with the Bank of Ireland.

J. E. Hughes, Esq. 1255. Was it possible for Mr. Smyth Fox to be ignorant of the existence of the pass-book?—He must have known there was a pass-book; he must have seen it.

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1256. Is that the book you referred to just now (*handing a book to the Witness*)?—No, I meant the slip-book; I used to receive lodgments on Monday, and I entered the lodgments I received in the slip-book, and that is in my handwriting.

1257. Permit me to recall your recollection to the fact, that you stated that in 1845 you did not pay money in regularly during the run, but you kept an account of it in some book and accounted for it to the trustees?—No, I did not state that I kept an account. I did not; the account was kept by the second book-keeper.

1258. Was that the book in which it was kept?—No.

1259. Will you turn to the repayment book of the 3d of May 1848; look at that book and tell me what cheque was necessary to be drawn for the repayment of depositors on the 3d of May 1848?—£.6,024. 1s. 2d.

1260. Look in the bank book and tell me how much you did draw for?—It appears "By draft, 3d May, 1,709*l.* 4*s.* 4*d.*," and "4,324*l.* 16*s.* 10*d.*"

1261. Go on to the 9th of May; how much did you want for the repayments?—The 10th of May.

1262. How much?—It does not appear here to be totted, nor does the interest appear to be added. I have the drafts here.

1263. Let us look at them?—(*The Witness produced two drafts.*)

1264. Those were the sums noticed for on the 3d of May, that they gave you a cheque for, were not they?—No; those were the sums payable on the 3d of May. I think the sums payable on the 3d of May were noticed on the previous Wednesday; that would be the 26th of April.

1265. How much?—That would be 7,198*l.* 11*s.* 7*d.*

1266. That was paid on the 3d of May, was it?—That was paid on the 3d of May.

1267. And the cheque drawn on the 3d of May to meet it?—The cheque was not drawn on the 3d of May.

1268. But this cheque is dated the 3d of May?—It is always drawn the day previously.

1269. And dated the same day?—It is dated so as not to be payable until the day on which the payments are made.

1270. Those two cheques were to pay the money for which you received notice on the 26th of April?—Yes; the notice was given on a Wednesday for the repayments the following Wednesday, and then the draft was filled up by the book-keeper for the payments on the following Wednesday, and handed to me upon the morning of that Wednesday.

1271. And you received the money?—And I received the money.

1272. Then those two cheques were for the sums of money to pay the depositors who had given notice on the previous Wednesday?—Yes.

1273. On the 3d of May how much did you receive notice for; you have told me that on the 26th of April you received notice for 7,198*l.* 11*s.* 7*d.*?—Yes.

1274. On the 3d of May you received notice for 6,024*l.* 1*s.* 2*d.*?—On the 3d of May it does not appear to be totted; it is all in blank.

1275. You began by telling me that on the 3d of May notice was given for 6,024*l.* 1*s.* 2*d.*; that is the first answer you made?—Yes; repayments made on Wednesday, the 3d of May, 6,024*l.* 1*s.* 2*d.*

1276. That is the repayments made on that day, not those for which you had notice?—No; the repayments made on the 3d of May 1848 were 6,024*l.* 1*s.* 2*d.*

1277. Then how much did you receive notice for on the 3d of May?—That ought to appear by this book; that would be for the 10th of May.

1278. How much did you receive notice for, for the 10th of May, on the 3d?—I cannot say that; the principal amount noticed is all here filled in by the book-keeper; but the amount which ought to be paid, that is including the week's interest, does not appear to have been made up.

1279. Why was not it?—I do not know.

1280. Was it not your business to look to that?—No.

1281. Whose handwriting is that in?—Mr. Robinson's; it was Mr. Robinson's and Mr. Mayne's business.

1282. Is that Mr. Robinson's handwriting?—It is; my recollection is that the

the notices given on the last day for which the bank was open considerably exceeded the amount to the credit of the trustees.

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1283. When did the bank close?—I should say the bank closed on the 9th of May.

1284. These were the last days, were they?—This must have been the last day.

1285. And it was all in confusion; you knew nothing about what was paid, or the reasons for paying it?—I know that I went with Mr. Mayne, the book-keeper, to the Bank of Ireland with the trustees' draft for, I think, 1,900 *l.*, as well as I recollect. I brought that to the bank, where there was a meeting of the trustees, and it was applied in payments of sums noticed on the previous Wednesday, which would have been payable on the following day, that is the day on which the bank closed.

1286. But there were some very large cheques drawn about that time, were not there?—There was a run going on about that time, I think.

1287. On the 9th or 10th of May there were some very large cheques drawn, were not there?—There was a cheque drawn for 1,900 *l.*

1288. Nothing more?—I do not think there was anything more to the credit of the trustees; that last cheque for 1,900 *l.* that was drawn I have not got here; I suppose it is in the Bank of Ireland. I am not aware of any other cheque.

1289. Look at the pass-book of the 9th or 10th of May?—There does not appear to be any entry here on the 9th of May.

1290. The 10th of May?—Nor of the 10th; the last entry here is the 3d of May.

1291. I want you to turn back to the day-book on the 20th of December 1847?—I have it.

1292. How much did you receive from depositors that day?—The amount received was 402 *l.* 19 *s.* 6 *d.*, and a receipt was produced for that sum, for three sums making up that sum.

1293. What were the three sums making up that sum?—£. 195, 172 *l.*, and 35 *l.* 19 *s.* 6 *d.*

1294. You mean receipts of the Bank of Ireland?—Receipts of the Bank of Ireland.

1295. Be so good as to find me the receipt for 195 *l.*?—I have got two of them.

1296. Which are those?—£. 172, and 195 *l.* (*The Witness produced the same.*)

1297. Find the other receipt for the 35 *l.* 19 *s.* 6 *d.*?—I cannot find it.

1298. Will you be so good as to find me in your pass-book the 172 *l.* (*The Witness handed the pass-book to the Chairman.*)

1299. How can a receipt on the 30th of September refer to money paid in on the 20th of December?—That very often happened.

1300. That the Bank of Ireland gave you a receipt two months before they got the money?—No; but when a lodgement was made one day, the receipt very often, when they wanted some sums, was not used then, and very often the receipts were not used for two months.

1301. I do not understand you?—Supposing there was a small balance of 172 *l.* lodged, and that the following week I was able to lodge the exact amount so as to meet the repayment book of the previous week, I lodged the exact amount. The trustees in all cases were anxious, if possible, to have a single receipt meeting each day's payment, and then those odd receipts, which were for odd sums, they threw over from time to time, and then they were produced on a subsequent occasion.

1302. Am I to understand you that on the 20th of December you received 402 *l.* 19 *s.* 6 *d.*?—Yes.

1303. Am I to understand that you gave in discharge for that receipt a receipt of the Bank of Ireland, dated the 30th of September 1847?—Yes, for which I never got credit at all, and it was a very common occurrence.

1304. You paid in the money out of what funds then?—Every week I lodged in the Bank of Ireland all that I had received, either that I had received myself or that had been handed to me.

1305. And you produced your receipt to the trustees?—I was bound to produce to the trustees every month receipts to the amount of the month's lodgements, but in very many cases the dates of those receipts did not at all correspond

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with the dates of the day-books for that month; in no case would they correspond.

1306. *Mr. K. Seymour.*] They would account for the sum total of the day-books for the month?—Yes, there were receipts produced for the sum total of the month's lodgment.

1307. *Chairman.*] Had that 172*l.* anything to do with the 1,151*l.* 3*s.* about which I questioned you before?—Nothing whatever; if it had ever been used before, it would have been initialed by Mr. Smith, the trustee who checked, or whatever trustee checked on that day; every receipt which was produced and used was initialed.

1308. Then the 172*l.* cannot form any part of the 1,151*l.* 3*s.*?—Certainly not; the trustee would not have passed it; he would have seen by a previous initial that it had been used.

1309. Just turn to the receipt from depositors on the 30th of September 1847?—On the 29th of September 1847, 357*l.* 16*s.* 5*d.*; receipts produced for 31*l.* 5*s.* 7*d.* and for 328*l.* 11*s.*

1310. Making together what?—*£.* 359. 16*s.* 5*d.*

1311. Then where did the 172*l.* that you lodged on the 30th come from?—I must have had the amount.

1312. I understand that you paid in the monies of the day before, and got receipts for them?—Here, on the 29th of September, I produced two receipts, one for 31*l.* 5*s.* 7*d.*, and one for 328*l.* 11*s.*

1313. That means that that money was paid in?—That the amount of that day's payment at the bank had been lodged.

1314. Then where did you get the 172*l.* to pay in on the 30th of September, the day following?—I think it is just likely that the 172*l.* was a portion of the sum received on the 29th of September, and that these two lodgments were made out of subsequent sums.

1315. But it had nothing to do with the 20th of December, at all events?—That is the day on which it is credited to me.

1316. Yes, on which you say it was credited to you?—It appears that it was lodged in September.

1317. How could it explain the payment of that money on the 20th of December?—If I lodged 172*l.* in September 1847, I must have had credit for it; if I had not got credit for it in September, I was entitled to it in any subsequent month.

1318. Why should you have paid it in; the money paid into the bank on the 29th of September had been lodged in the bank; what is the money you paid in on the 30th of September?—That will appear by the book. The amount received on the 29th of September never could have been lodged on the 30th of September; it could not possibly have been lodged on the 30th of September.

1319. Where was it then?—The course of the office was this. On Wednesday I never received any lodgments at all; and supposing that there was any given sum lodged on Wednesday, for instance this 357*l.*, at the close of the day when the trustees on duty and the book-keeper came to hand me over the funds, very likely they would hand me over only 172*l.* instead of 357*l.*; possibly they would not hand me over anything at all, because it had been advanced; every Wednesday and every Monday the habit was to advance out of the lodgments.

1320. But all monies for which you produced the receipt of the Bank of Ireland must have been paid into the Bank, must they not?—They must.

1321. That 172*l.* must have been paid into the bank?—It was.

1322. On the 30th of September?—On the day on which the receipt bears date.

1323. Where did you get that money from to pay it in?—It was handed to me either by the book-keeper, or by a trustee or manager on duty.

1324. But there was no money received on that day?—On the 29th of September.

1325. But then you had paid it in separately; have you not before you the evidence that you produced to the trustees receipts for the sum total of the payments of the 29th of September?—I have.

1326. And that that 172*l.* did not form part of those payments?—It did not; those were distinct lodgments.

1327. Then on the subsequent day you made a lodgment into the Bank of Ireland of 172*l.*; on what account did you do that, and where did you get the money?—I got the money, I presume, either from a trustee or manager on duty,

or

or from the book-keeper. This 357 *l.* 16 *s.* 5 *d.* was not received by me, it was received either by the book-keeper, or by a trustee, or manager; I have no means of stating to the Committee whether or not I received the 357 *l.*; possibly I only received 172 *l.* If I only received 172 *l.*, I lodged 172 *l.* the following day.

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1328. Mr. Fagan.] Are not there receipts produced for the whole sum there?—So there are.

1329. Will you refer to the receipts and see the date of them? (*The Witness produced two receipts.*)

1330. *Chairman.*] Under that date, or within a month of that date, can you have discharged that payment by receipts dated in October and November?—It is a very common practice.

1331. But you could not have settled that account of the 30th of September within a month, because here is one of those receipts dated the 6th of November?—No, it could not have been settled within a month; perhaps I might have been absent. I was very often obliged to go into the country; it sometimes might have happened that two months elapsed.

1332. Will your repayment book show all the monies paid on the last days of the bank, leaving out for a moment the last cheque of 1,897 *l.* 10 *s.*?—No, it will not.

1333. Where shall I find any account of that?—There are various payments of which there is no book showing any account.

1334. What payments were those?—Salaries, and a great deal of expenses during both runs.

1335. What do you call "expenses during both runs"?—There were barricades erected in the street; there were barricades erected in the house, and various alterations made in the house to keep off the public.

1336. And no account was kept of those expenses whatever?—There was an account made up at the close of the run.

1337. Where is that account?—It never was in my possession; it was handed to the trustees; I do not know anything about it.

1338. Do you know in what book it was?—I do not think it was in any book, it was on slips of paper.

1339. And never posted to any account?—Never posted to any account, to my knowledge.

1340. Why not?—I do not know; I never posted a book in my life.

1341. But you were cashier; you were responsible for the payments made, were not you; they passed through your hands, did not they?—I conceived that my responsibility was this; if I was given a draft, I was responsible for the due application of that draft for the repayment.

1342. I will go back again to those three drafts which you have mentioned to me, on the 3d and the 10th of May 1848, of 1,709 *l.* 4 *s.* 4 *d.*, and 4,324 *l.* 16 *s.* 10 *d.*, and 1,897 *l.* 10 *s.*; you received three cheques drawn on the Bank of Ireland for 7,931 *l.* 11 *s.* 2 *d.* What did you do with that money; you say you are responsible for the cheques. Take the book and see that I am accurate in what I state to you; you had better look at the bank-book, and see that I quote accurately first; take your pass-book?—What drafts do you mention?

1343. Drafts at the close of the bank; the last three drafts which you received?—There appears to be a draft here for 1,709 *l.* 4 *s.* 4 *d.*

1344. What is the next?—£ 4,324 16 *s.* 10 *d.*

1345. What is the next?—There is no other entered here.

1346. The 1,897 *l.* 10 *s.* was not entered there?—It is not entered here.

1347. But you admit the cheque of 1,897 *l.* 10 *s.*, do not you?—Yes; I thought it was 1,900 *l.*

1348. Mr. Fagan.] Go to the repayments, and see how much you paid out of that sum?—On the 3d of May the amount paid appears to be 7,785 *l.* 8 *s.* 4 *d.*

1349. *Chairman.*] Was anything paid afterwards?—Yes, I should think there was; there were payments made on the 9th of May.

1350. How much?—It is not totted here; here is the book as it appears.

1351. On the 3d of May and the 9th of May there were drawn two cheques, one for 1,709 *l.* 4 *s.* 4 *d.* and one for 4,324 *l.* 16 *s.* 10 *d.*, making together 6,034 *l.* 1 *s.* 2 *d.*—Yes.

1352. What was done with that money?—On the 3d of May there was 7,785 *l.* 8 *s.* 4 *d.* paid.

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1353. How much did you receive on that day; you could not pay 7,785 *l.* 8 *s.* 4 *d.* with 6,034 *l.* 1 *s.* 2 *d.*?—No.

1354. Where did you get the rest of the money?—I have never seen these books since the 9th of May 1848. I know that these books have been made up; I believe that when the payments were made on the 3d of May and on the 9th of May 1848 these books were not totted.

1355. *Mr. Fagan.* Are those the payments on that day, or the notices?—The payments.

1356. Absolute monies paid?—The monies paid on the 3d of May appear to be 7,785 *l.* 8 *s.* 4 *d.*

1357. *Chairman.* You could not have paid 7,785 *l.* 8 *s.* 4 *d.* with 6,034 *l.* 1 *s.* 2 *d.*, that is quite clear?—Of course not.

1358. Where did the balance come from; where did they get the money?—I should say from that draft of 1,897 *l.* 10 *s.*

1359. You know nothing of the application of that draft?—I do; I know that a great portion of that draft was paid as of the 3d of May.

1360. Do you know whether the entries were made in that book of the application of that 1,897 *l.* 10 *s.* draft; do not you know they were not?—No, I do not; my impression is, that on the 3d of May this book amounted only to the amount of those two drafts; that is, 1,709 *l.* 4 *s.* 4 *d.* and 4,324 *l.* 16 *s.* 10 *d.*, and that it then was not closed as it appears now.

1361. Now I will ask you to take the book of receipts; the dry book; begin with the 12th of February 1848; how much was received?—£. 324. 1 *s.* 5 *d.*

1362. Is there anything put at the bottom of that?—"Receipt produced for 324 *l.* 1 *s.* 5 *d.*"

1363. See if you can find that receipt?—I do not find any one receipt for that amount.

1364. What did you do with the money; see whether it was paid into the Bank of Ireland; what monies did you pay into the Bank of Ireland during the month of February?—£. 491. 10 *s.* 338 *l.* 17 *s.* 4 *d.*, 182 *l.* 13 *s.* 5 *d.*; I am taking them from the pass-book.

1365. All during the month of February?—Yes; 50 *l.*

1366. *Mr. Fagan.* Is that February 1848?—February 1848.

1367. *Chairman.* Go on.—£. 654. 12 *s.* 6 *d.*, 481 *l.* 8 *s.* 5 *d.*, 973 *l.* 13 *s.* 2 *d.*, 593 *l.* 13 *s.* 2 *d.*, 158 *l.* 11 *s.* 3 *d.*

1368. *Mr. K. Seymour.* What period of the month was this?—All in the month of February.

1369. *Mr. Fagan.* Is that pass-book kept by the Bank of Ireland?—Yes.

1370. *Chairman.* Those are sums paid by you during the month of February into the Bank of Ireland, are they?—Yes.

1371. Or are they monies received from the Commissioners?—No; monies received from the depositors.

1372. Now look at the deposit book for the month of February, and tell me how much you received during the month?—£. 481. 8 *s.* 5 *d.*, 227 *l.* 2 *s.* 2 *d.*, 324 *l.* 1 *s.* 5 *d.*, 532 *l.* 13 *s.*, 711 *l.* 15 *s.*; I find here now that the receipt for the 324 *l.* 1 *s.* 5 *d.* was produced on the 19th of February.

1373. Is 711 *l.* 15 *s.* the last?—No, 353 *l.* 10 *s.*, 330 *l.* 13 *s.* 8 *d.*, 137 *l.* 4 *s.* 4 *d.*

1374. It appears that the sums paid by you into the Bank of Ireland in the month of February 1848 were 3,270 *l.* 6 *s.* 9 *d.*, and that you received from depositors during that month 3,098 *l.* 8 *s.*; namely, less than you paid into the Bank of Ireland?—Yes.

1375. Where did you get the surplus?—I do not think that in any case the amount lodged within the month would correspond with the amounts in the day-book.

1376. Why?—Because money may have remained over from the previous month.

1377. Those are all the pass-books and vouchers in your possession?—Yes.

1378. Are you aware of any other minute books or other papers existing anywhere, not handed over to the Committee?—I am not.

1379. Before you finally leave us, I wish to ask you once more very seriously whether you can give the Committee any account of that sum of 1,151 *l.* 3 *s.* which you admit was received on the 17th of July 1847, and for which a receipt is stated to have been produced; what has become of it?—I cannot; if I could I would.

1380. *Sir G. Clerk.*] Who paid the money into the Bank of Ireland?—I generally paid it in; always paid it in. *J. E. Hughes, Esq.*
1381. Did you make any payment into the Bank of Ireland of the sums which were received by you on the 17th of July 1847?—No doubt I did. *10 June 1850.*
1382. Would not all the sums which you paid in appear in the bank pass-book?—They ought.
1383. Had you the custody of that book?—No, I never had those books; my father used to have them; I never saw those books until the other day.
1384. Did you receive any memorandum from the Bank of Ireland of the balance for which they gave the St. Peter's bank credit?—There was a memorandum produced to the committee every month.
1385. To which you had access?—I never looked to anything except the receipts in the account of the day-book, and the amount of credit that I was entitled to.
1386. Did it never strike you or any of the managers that it was extraordinary that a receipt having been stated to have been produced for 1,151*l.*, received from depositors on the 17th of July, no entry to that effect appeared in the pass-book?—I never was aware of it; I never saw the book.
1387. *Chairman.*] Why did not you?—I did not conceive that it was my duty to look at the pass-book at all.
1388. *Mr. Fagan.*] Did not you lodge the money?—I lodged all the money I received.
1389. *Sir G. Clerk.*] Did not you feel some anxiety to know that the bank had given you credit for the money which you had so lodged?—For every sum I so lodged in the Bank of Ireland, I got a receipt.
1390. *Mr. Fagan.*] Was there any one else who lodged money at the Bank of Ireland but yourself; were not you the agent?—I was, but from the time I was appointed I am occasionally absent; one time I was absent two or three months from illness.
1391. What time was that?—Some time in 1847; I cannot exactly say when; I was very often absent for a week; I was obliged to be absent on other business; sometimes I had business in court and could not attend upon a business day.
1392. *Chairman.*] When you were absent did not you see whether the Bank of Ireland had given credit for the sums pretended to have been received by the books of the savings bank?—I did; I saw that I had receipts to produce at the monthly meetings, either receipts of the Bank of Ireland or credits to which I was entitled for payments made.
1393. *Mr. Fagan.*] In your absence who lodged the money, what party connected with the bank?—I am not aware that any one connected with the bank ever made a lodgment; I believe Mr. Robinson did; I do not recollect that Mr. Mayne ever did.
1394. *Chairman.*] Was not Mr. Mayne the principal clerk?—He was the book-keeper.
1395. What was Mr. Robinson?—He was the assistant book-keeper. Mr. Smith was one of the most particular men connected with the establishment, and one of the most respectable men, and he was most accurate in seeing that whatever was produced to him was correct; there were various payments for which I was entitled to credit against the lodgments with which I was charged; possibly that 1,150*l.* might have been credits that I was entitled to for payments made.
1396. *Sir G. Clerk.*] How then could you have had receipts from the Bank of Ireland for that amount?—It was the habit of Mr. Robinson, in preparing for the monthly meeting, always to write receipts produced for the amount of the day book before he saw the receipt, or had any means of knowing whether the receipt would be produced or not; of course I was bound either to produce a receipt for that given sum, or to show that I was entitled to credit in some other way.
1397. Did the manager who attended affix his initials to that statement that the receipt had been produced before seeing the receipt?—No, but at the monthly meeting, in more than one instance, the trustee or manager on duty has initialed that statement of the receipt produced where there was only right to credit produced or shown.
1398. *Mr. Fagan.*] Can you show instances of that?—They appear in the day-book to that effect.
1399. Have you no cash-book; surely if the transactions are so complicated

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as you say, you must have a cash-book; how could your balances or statements be shown to the trustees without a cash-book?—On slips of paper.

1400. You state that it possibly may have occurred that you were entitled to credit for such a sum as 1,151 *l.*; surely you must have a cash-book to show those credits?—No.

1401. It could not possibly have been on slips of paper?—Of the different payments that I used to make, I used to put memorandums on a file, and the trustee or manager used to go through them, and then I would make a lot of the amount of those payments made, and then the trustee or manager would see whether that was correct or not, and being correct they gave me credit for it.

1402. *Sir G. Clerk.*] Did you keep any other account with the Bank of Ireland besides that account of the savings bank?—No, never.

1403. *Sir J. F. Butler.*] No private account of your own?—No.

1404. *Mr. Fagan.*] Would they receive money from Mr. Robinson at the Bank of Ireland, to the credit of the Commissioners for the Reduction of the National Debt, without your signature or authority?—They would receive lodgments to the credit of the trustees by any person, but they would not receive lodgments for the purpose of going to interest, unless they had my father's signature, and a trustee's draft signed. To enable any sum to be lodged at interest, it was necessary that there should be a draft signed by two trustees, and countersigned by my father. I can show you one of those drafts.

1405. *Sir W. G. Craig.*] When you made lodgments in the Bank of Ireland, did you lodge the money with the pass-book?—No, never.

1406. When was the lodgment entered in the pass-book?—I do not know at all; I never saw the pass-book; I merely lodged the money in the usual way; I filled up a docket, and got a receipt. I never looked at the pass-book.

1407. Who had the custody of the pass-book?—My father used to call at the Bank of Ireland once every month, just before the monthly meeting, and get the pass-book, so as to produce it on the day of the meeting.

1408. *Chairman.*] In order that you may not be at any excuse about it, I wish to tell you that the books have been regularly examined, and that the larger proportion of that 1,151 *l.* 3*s.* appears to be deficient; and to be unaccounted for during the year altogether; can you account for that?—I am aware of this, that there must have been a deficiency every year in this way. I am not speaking of interest upon debt, but of the expense of the establishment, which was not paid for by drafts, and which was paid by order of the trustees out of the lodgments, and also the expense of the building; the expense of the buildings, which took place in my time, might altogether have amounted to 1,500 *l.*

1409. That was not in 1847?—I think there were some in 1847.

1410. *Sir G. Clerk.*] Have you any account showing what those occasional payments were?—I have not any.

1411. Was there any such book kept?—I think not; it may be amongst the books; I am not aware.

1412. Do you mean to say that these payments were made without any memorandum being kept of the amount or date?—It was generally done on the day of the business. The trustee on duty would direct me to pay such and such a sum.

1413. And no account was kept of it?—Not by me; and the expenses of the establishment of the bank, I know since I have been connected with it, have varied from 700 *l.* to 800 *l.* a year. The sums for which cheques were drawn only amount to 450 *l.*, and the balance of course was paid by me under the direction of the trustees.

1414. But you admit that 1,151 *l.* was received on the 17th of July by you as appearing by the day book?—It appears charged to me, that is all I know about it.

1415. Whatever sum you received on that day you say you must have paid into the Bank of Ireland?—Whatever sum I received upon that day, I should have paid out under the direction of the trustees, in advances; it was the general habit every day to advance to depositors a certain sum; it very possibly happened that nearly the whole amount of the lodgments of a given day were swallowed up in making advances to depositors upon that particular day, also in paying different orders of the trustees.

1416. Have you the means of showing how that sum was disposed of?—No, I have no means, except that I satisfied the trustees that I was entitled to credit for 1,151 *l.*

1417. *Chairman.*]

1417. *Chairman.*] If it had been disposed of in payment to depositors, would it not have appeared to the debit of those accounts in the ledger?—I do not understand anything at all of that; I am not an accountant, and I never looked at the ledgers in my life; I suppose it ought.

1418. Supposing there to be a deficiency that year in the cash, who is accountable for it?—If there was a deficiency in that year, and I accounted for all sums that I received with the trustees, I do not see that I am in the slightest degree responsible; I think that that is a question for which the trustees are responsible.

1419. But you are bound to explain to them for all the money that comes into your hands?—I am bound to account to the trustees for all the money I receive. I conceived that I was bound to show the trustees from month to month, either that I had lodged all the monies with which I was properly chargeable, or that I had applied them under their directions.

1420. Then you are bound to explain what has become of this 1,351 *l.* 3 *s.* 2?—I cannot.

1421. Are you not bound to do so?—I was bound to them, assuredly.

1422. And you are now bound to the Committee to explain it, are you not?—Of course I am bound to give the best explanation I can.

1423. Where is it?—

1424. *Mr. Pagan.*] Is not there a receipt for the lodgments produced?—It was the habit of Mr. Robinson every month, as I have stated, to write in "receipt produced" for such a sum; it very often did happen.

1425. *Chairman.*] We are only losing time if you will not tell us. With regard to your father, what state is he in; is he capable of attending this Committee?—No, he is not. As I stated, for a considerable time he was only affected in his leg and arm; since then, I think it was in the year 1847, he had a second attack, and his voice is affected to that extent that it is impossible to understand what he says.

1426. Can nobody understand him?—No, except to attend to his daily wants. If you wish any satisfaction upon that point there are plenty of persons in Dublin who might see him.

1427. Can you get any explanation for the Committee?—No; I cannot. I was very anxious to have a conversation with him when I got the summons of the Committee, but he is in that state that I cannot possibly understand one word he says.

1428. Where is Mr. Farran?—He is in Dublin.

1429. *Mr. Pagan.*] Before whom was that receipt stated to be produced?—Before Mr. Thomas Dood Smith.

1430. Did you sign the book also?—No.

1431. Is Mr. Smith alive?—He is.

John Simpson Armstrong, Esq., called in; and Examined.

1432. *Mr. H. Herbert.*] ARE you a Member of the Irish Bar?—Yes.

1432*. Are you the authorized Reporter in the Court of Queen's Bench?—Yes.

1433. Were you present at the arguments that were used, and the decision that was given, in the Court of Queen's Bench on the subject of the Tralee Savings Bank?—I was, on three several occasions. It was several times before the Court in Dublin.

1434. Were you present at all the arguments?—I was.

1435. Can you state to the Committee the circumstances under which that appeal came before the Court?—I can. I suppose the Committee are aware that it came on in reference to a decision made by Mr. Tidd Pratt, the arbitrator appointed under the Act of Parliament, the 7 & 8 Victoria.

1436. *Chairman.*] Was not it an appeal from his award?—It was almost that in substance, but the way in which it arose it would be well perhaps to state. It was an action brought by a man named John Lynch, who had been a depositor in the Tralee Savings Bank. He brought an action of debt on the award made by Mr. Pratt against a Mr. William David Fitzgerald, who had been one of the trustees and managers of the Tralee Savings Bank. The award of Mr. Pratt was stated in the declaration. What we call the special count of the declaration stated the award, which was in substance this: "That the plaintiff, John Lynch, had deposited in the Tralee Savings Bank a sum of

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27*l. 9 s.*, and that afterwards a dispute, controversy, and difference having arisen between the plaintiff and the trustees and managers of the bank concerning the money so deposited by the plaintiff in the savings bank, which dispute, difference, and controversy was, in writing pursuant to the statute, referred to the award, order, arbitrament, final end, and determination of John Tidd Pratt, the barrister appointed by the Statute 9th Geo. 4, and that John Tidd Pratt having deliberately, and at large, heard, read, and duly and maturely examined, weighed, and considered all and singular the allegations, vouchers, proofs, and evidences brought and produced before him, by and on the part and behalf of the parties respecting such matters in dispute and difference between them so referred to him pursuant to the Statute, he, on the 19th June 1848, made and published his award, arbitrament, and determination in writing, and did thereby award and determine that the defendant, who at the time of the arising of the dispute, and of the reference and award, was a trustee of said bank, should pay the plaintiff, on the 31st July then next following, the sum of 27*l. 9 s.* in full of all claims and demands." That was the ground-work of the action. To this action the defendant, Mr. Fitzgerald, put in several pleas. The principal plea denied altogether his liability on foot of this award. There were also several special pleas.

1437. *Mr. H. Herbert.*] You have not stated the date of the action?—I cannot exactly say when the action commenced, but the proceedings I am about to state were all subsequent to the trial of the action. I do not exactly know when the action commenced. Along with this general plea, altogether denying his liability on foot of this award, Mr. Fitzgerald put in several special pleas; one of these special pleas denied his being guilty of any wilful default. To which the plaintiff put in a reply, that he was guilty of wilful default. On that replication what we term in law a demurrer was raised, raising the legality of that reply; the counsel for the defendant saying, that that was no question to be raised on the issue; and he also put in the farther plea, that there was no declaration in writing, under the 7th and 8th of Victoria, given in by the defendant, stating that he would be responsible for any deficiency in the fund, which is required by that Act; that also was demurred to in law, and there was a further plea of no notice being given by Mr. Pratt of his intention to proceed with the arbitration. On these three several issues a legal question was raised. On the first issue, which I have stated, namely, that denying all responsibility, the parties went to trial, the three legal issues in the meantime, by direction of the Court, standing over until the decision on the point of fact had been come to and examined by a jury. In that position the case was when it came on for trial at the Spring Assizes of 1849 for the county of Kerry, before Judge Ball. There was another issue joined, denying that the defendant was a trustee, and also stating that he did not refer the dispute to Mr. Tidd Pratt. At the trial it appears that the award made by Mr. Pratt was proved, and Mr. Pratt himself was examined. As soon as the plaintiff had closed his case, several objections were taken by the counsel for the defendant as to the legality of the proceedings, which, if the Committee think it necessary, I can state.

1438. *Mr. Goodfellow.*] Were they very technical?—Some of them were technical; they turned in a great measure upon the construction of the Act of Parliament. I think they are all substantially embodied in the judgment which my Lord Chief Justice afterwards delivered. These objections which I have stated were severally handed in, in writing, by the counsel, and eventually the trial terminated in this way. The judge directed a verdict for the defendant on the issue, whether he had referred in writing the matter in dispute to Mr. Tidd Pratt, thereby showing that there was no evidence that there had been any reference in writing to Mr. Tidd Pratt, and he directed a verdict for the plaintiff on the general issue of the defendant's non-liability, thereby holding that there was evidence to go to the jury that the defendant, Mr. Fitzgerald, was liable on the award made by Mr. Tidd Pratt. It was also found that Mr. Fitzgerald was a trustee of the bank. That action was tried, as I have before stated, at the spring assizes. The matter then stood over until the following Michaelmas term, when an order was obtained by Mr. Fitzgerald's counsel that this verdict so found for the plaintiff should be set aside and turned into a verdict for the defendant, on the ground that there was no legal foundation for the action; that in point of fact the award was unsound in those particulars which I have already referred to. On two several days during that term the case was very fully argued by two counsel on either side, and

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very fully gone into on both sides. The counsel for the plaintiff insisted that the award was perfectly final and conclusive, and that there was no appeal whatever from it; that under the statutes the Savings Bank Act, 9th George the 4th, under which Mr. Pratt acted, and also the subsequent one, the 7th and 8th Victoria, Mr. Pratt had perfect power and jurisdiction to make the award. During the discussion a great many observations were thrown out by the judges, in which they seemed to have a good deal of doubt as to his power. There is one observation I see here of Judge Moore, in which he seems to question whether Mr. Pratt had power to make the award without the consent of all parties, for it appeared in the evidence that this award had been made on an *ex-parte* proceeding without a notice being served on all the trustees. Mr. Fitzgerald had been served with a notice, but it was not the notice directed by the Act of Parliament with reference to making an award.

1439. Mr. H. Herbert.] Will you read those observations of Judge Moore?—It was, in the course of argument, stated that no action lay against the trustees; and Judge Moore says, "The question, as it strikes me, is, had the barrister power to make this award without the consent of both parties?" Again he repeats "that it would be hard to compel a party to abide by what was done behind his back." The answer to that, made by the counsel, was, "The reference was not made behind his back; Mr. Pratt's evidence shows that the trustees attended during the arbitration." However, it would appear on reference to Mr. Pratt's evidence, as appears in the statement of my Lord Chief Justice, that Mr. Fitzgerald did attend on the statement of Mr. Pratt, that his attending there should not prejudice him in any way, and that it would be quite the same whether he attended or not.

1440. That particular trustee?—That particular trustee. Mr. Pratt wrote a letter when he got to Tralee, calling the attendance of all the trustees; he sent circulars to those whose residence he knew, and to the others that he knew nothing of he could not send. In this letter he requested them to attend to investigate the affairs of the bank, and Mr. Fitzgerald did attend, and Mr. Pratt told him that his attendance would not prejudice him in any way.

1441. Does the evidence not show that there were other trustees who were not there at all?—Yes, several; Mr. Pratt, in his award, finds nine persons whom he names as trustees, and nine others managers.

1442. Did the evidence not show that some of those had been out of the country for many years?—There was no evidence, as I collect, one way or the other; the only man that appeared on the transaction was Mr. Fitzgerald. Several of the trustees certainly were not served with notice, at least nothing appeared at all as to their having been served, as I collect.

1443. Were there any other observations of the Judges to which you would call the attention of the Committee?—Yes, I find a statement by Judge Moore: "If the argument on the other side," he says, "be right, that the award is conclusive, it must bind the other trustees, yet a great number of them were neither present, nor took any part in the proceedings." There was a great deal of argument, I find, in reference to Mr. Pratt having exceeded his jurisdiction in making this award, and the Judges made very strong observations in the course of it, from which it would seem they came to the conclusion that he had exceeded his jurisdiction in making the trustees generally liable, without specifying to what amount or in what respect they were liable. There is no statement in the award of any peculiar default on the part of any of the trustees, but Mr. Pratt makes them all generally liable; and I find a question put by Judge Moore to the counsel: "Suppose there were ten trustees, and that one be guilty of default, and occasion the entire loss, unquestionably by the provisions of the Act the other trustees are not responsible; would not then the dispute be between the depositor and the trustee guilty of default, and not between the whole body of trustees?" Then again Judge Crompton makes a similar observation: "One trustee may be a defaulter for 10*l.*, another for 10,000*l.*; and are you entitled to bring your action against the 10*l.* defaulter for the entire amount?" Then the Chief Justice objects: "This award does not ascertain at what time the deficiencies arose, and the liability of the trustees must depend entirely on that." He also states, "There is an extreme difficulty in maintaining this action when the real object of the statute is to resolve the funds of the body of the creditors, not to create personal responsibility of any trustee." These are observations made in the course of the argument. In some respects, in the judgment I think it varies a little from them, for certainly the

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chief justice seems to think that if there was a certain course adopted by Mr. Pratt, he could make a trustee individually liable. There is another observation of Judge Crampton, much to the same effect: "I doubt very much whether this award can be considered as final, supposing the jurisdiction to exist to the extent you contend for." This is in answer to the counsel for the plaintiff. "Here are a number of persons involved, and the inquiry is, as to what degree they are each of them guilty. It appears to me a question in a certain degree between the trustees themselves; and should not the arbitrator have said, certain persons are liable as trustees, one to the extent of 10*l.*, another of 50*l.*, and a third of 1,000*l.*, and so on. In that point of view, it would appear to me that the award is not final." A good deal of argument then followed as to what the nature of the institution was. Some members of the Court seemed to think that "the trustees" and "institution" were synonymous terms. That I think is the substance of that portion of the case.

That argument took place in Michaelmas term 1849, it was at the latter end of the term. That argument was heard before the full court, before my Lord Chief Justice, Mr. Justice Crampton, Mr. Justice Perrin, and Mr. Justice Moore. At the conclusion of that argument, the Chief Justice stated that as questions of very considerable difficulty arose upon the construction of this Act of Parliament, on which the whole question was raised, and as there was still the legal question remaining on the special pleas, in which similar questions were involved, they would not proceed further in the matter until the legal question had been argued, unless the parties chose to put the matter into a certain form which the Court suggested, which they might do on the consent of both parties, and bring it in a much simpler and plainer manner before the Court. However, the parties did not choose to consent to that, and subsequently, in the following Hilary Term 1850, the matter again came before two members of the Court, the Chief Justice and Judge Perrin, on the legal question, and it was argued, I think, for two days, and I believe the substance of the argument was precisely the same as I have stated had been used on the former occasion. So the matter stood until Easter Term 1850, in which the unanimous judgment of the Court was delivered by Chief Justice Blackburn.

1444. Have you a copy of that judgment?—I have.

1445. Will you furnish the Committee with a copy of it?—It is as follows: "This is an action of debt on an account brought by the plaintiff, a depositor of the Tralee Savings Bank, against the defendant, one of the trustees of that bank. The declaration states the award as it appeared in evidence at the trial. To this there are several pleas; to three of them, namely the second, third, and sixth pleas, there were replications to which the defendant demurred, and these demurrers were argued before my brother Perrin and myself. The first plea was *nil debet*, the fourth plea was that the defendant was not a trustee, and the fifth that the defendant did not refer in writing to Mr. Tidd Pratt. Issue having been joined on these three pleas, there was a finding for the plaintiff on the first and fourth, and for the defendant on the fifth. Pursuant to leave reserved at the trial, the defendant moved to enter a verdict for him on the plea of *nil debet*. That motion has stood over since Michaelmas Term, in order that the demurrer might be argued, and the whole case disposed of at the same time. The opinion that I am about to express as far as it relates to the demurrer is only to be considered as that of my brother Perrin and myself, but as regards the matter of the motion for a new trial, which was heard by all the members of the Court, we all concur in the decision and judgment I am about to deliver. In considering the different questions which have been so largely discussed, it does not seem to me necessary to advert in any detail to the provisions of the different statutes which relate to these institutions. The right of depositors to have their property duly invested, taken care of, and repaid with interest, admits of no doubt on the one hand, nor on the other is there any difficulty in discovering the duties which devolve on the persons who voluntarily became trustees, bind themselves to discharge those duties, and incur personal responsibility for the losses that may arise from their wilful neglect or default. The Legislature, by a series of elaborate enactments, has provided for the rights and security of depositors, and prescribed the rules which the trustees are bound to observe, and it is perfectly clear and certain that a remedy was intended to be given to the depositors in all cases of disputes and differences between them and the trustees. Under the Act of 9 Geo. 4, c. 92, this was by arbitrators of the nomination of the parties, with the barrister mentioned in the Act as umpire, in case the arbitrators disagreed.

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That Act describes the dispute to be referred, as one with the institution; a word that I think is plainly expounded by the 7th & 8th Vict. c. 83, s. 14, to mean the trustees and managers of the bank. This section enacts that if any dispute shall arise between the trustees and any individual depositor, then and in every such case the matter in dispute shall be referred in writing to the barrister, who shall have power to proceed *ex parte*, on notice in writing to the trustees or managers left or sent by the said barrister to the office of the institution; and that whatever award, order, or determination shall be made by him shall be binding and conclusive on all parties, and shall be final to all intents and purposes without any appeal. The inadequacy of the powers and means to exercise the ample jurisdiction which this section confers on the arbitrators has been relied on as an argument that it is limited to claims made merely against the bank as an institution, and does not warrant the arbitrator to decide on the defaults or personal responsibility of the trustees. If we are to adopt this reasoning I think we should deprive this clause of all its real substance and value; an enactment which has been the subject of deliberate consideration and adoption. To me it seems clear that its provisions were deemed and intended to be adequate to enable the arbitrator in all cases of dispute between depositors and those who had acquired their rights, and the trustees, to do complete justice in the same manner and to the same extent as might and could have been done by the ordinary tribunals of the land if their jurisdiction had not been superseded and this tribunal appointed in their place. But were the means and power of the arbitrator ever so deficient and inadequate either to investigate facts or give effect to his decisions, they would form no reason for not carrying into effect the express provisions of this section as far as may be practicable, or for adopting a construction of it that would render it nugatory. For my part I cannot doubt that it was intended, by means of a special tribunal and the award of a legally-constituted judge holding an exclusive jurisdiction, to supply an effectual and complete remedy in all cases of disputes of every kind and character respecting the rights and liabilities created by the Act, between the trustees and the persons described in its 14th section. The case of *Crisp v. Banbury*, on the authority of which I decided the case of *Cook v. Lead Courtown*, establishes the proposition that the jurisdiction of the superior courts is ousted in all cases coming within the arbitration clause in the first Act, and as a consequence that the barrister who has been substituted by the second Act for arbitrators under the first has exclusive cognizance of all such cases. If, then, the remedy of the aggrieved parties can only be had through his award, the question is, does his authority extend to and comprise the most simple of all cases, which is the case before us, that of a claim by a depositor to be repaid his deposit and interest: no doubt it does. The claim being made on the trustees, and not complied with, there is at once, in terms and substance, a dispute between the depositor and the trustees; a dispute giving a right of suit or action, not to be decided by a court of law or equity, but by the Parliamentary arbitrator. If he is to decide it he must have power, as necessarily incident to his jurisdiction, to inquire into and decide on the amount of the debt of the depositor. When this is done he must then inquire and ascertain whether there be funds forthcoming to pay the debt; if he finds there are not, is he to stop and go no further? I think decidedly not; he must proceed, and inquire what has become of the fund; is it in the hands of the trustees, and if not has it been lost by causes for which no one is responsible; or has it been lost by the wilful neglect and default of the trustees. It is by this process of inquiry, and this only, that any remedy can be worked out. Whatever may ultimately be the state of individual liability, the state of the fund, its sufficiency or deficiency, and the causes of it, are the indispensable preliminary subjects of inquiry. The deficiency and its causes, and the persons who have caused it, being inquired into and ascertained, the question again recurs, is the arbitrator thereupon to stop at this stage, and close his inquiry? Is his duty at an end, and are his powers exhausted? Some award he is bound to make, and if he is, it must be such an award as a court of competent jurisdiction could and would have made upon the facts disclosed by the inquiry. That inquiry I conceive to be the obvious and necessary consequence of the mere claim by a depositor, that claim in its nature being based on his right to have the accounts of the bank investigated, and its funds ascertained and made available for his payment. Let me suppose the case of the arbitrator's finding that a portion of the fund, instead of being invested as the Act orders, has been retained by, and is actually in the hands of the trustees, can the arbitrator make no award against them? Would

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any court of competent jurisdiction permit them to retain it, or have any difficulty in making it available by a decision against the trustees to pay the plaintiff's demand according to his right? This admits of no answer but one; it would be the plain duty of the court to pronounce the judgment that justice required. But put the case, not of money in the hands of trustees, but of money lost by their wilful neglect or default; for this they are just as responsible in law as if it were money in their own hands, and being so, there are no distinctions or degrees between their responsibility in the two cases; the tribunal to which they are amenable must apply the same rule to both, and make the same decision in both. If there be not, as there is not, the least difficulty in seeing what that rule and that decision would be, if the case were before the proper and ordinary tribunal, my opinion is that the arbitrator must act as such a tribunal would be bound to act. But I must here guard myself against the inference that in the case of a defaulting trustee, the arbitrator can at once, and *per saltu*, make an award that he shall pay the depositor complaining. The fact is not so. If a part of the fund is lost or deficient, the amount of the deficiency is to be regarded as so much of the general property of the bank, which is the common property of all the proprietors. The money subtracted should therefore be replaced for their common benefit, or held to be the money of all; and though I think it is competent to the arbitrator after a certain process and investigation to make a personal decree for a depositor against one or more of the trustees, it is not possible to do so on the mere ground that the trustee is a defaulter. Before this can be done the arbitrator must ascertain, as a court of equity would do, by taking proper accounts, the amount of the whole available funds, the amount of their deficiency, the amount of the dividend payable to the plaintiff, and the amount of the proportion of the sum for which the defaulting trustees are liable, and to which, in part payment of that dividend, the claimant would have a right to have a personal decree against them. The objection to the right of the arbitrator to take these accounts is answered by that which is indisputably true, that without doing so justice cannot be done, no award can be made, and the Act will not merely be a dead letter, but something worse; for affecting and intending to create a tribunal of competent and exclusive jurisdiction, it has not only failed to do so, but has shut out and precluded an appeal to any other. The conclusion I have arrived at avoids all this mischief, by making it the duty of the arbitrator fully to investigate the affairs of these banks, to ascertain their liabilities and their assets, and to make such decisions as may exactly effectuate the legal right of the party complaining. This detailed execution of the arbitrator's duties and powers must be kept in view in the consideration of the questions which arise as well on the demurrers as on the motion for a new trial. As to the demurrers, the defendant appears to me to have failed to show that the replications are bad. The defendant's counsel, however, relied that the declaration is bad, because the arbitrator had no right to make an award against him personally. As I think the arbitrator might, by the course of inquiry, and in the state of facts I have pointed out, have made such an award as is pleaded in the declaration, I think the objection to the declaration is invalid, and that the demurrer to the replications should be overruled; but this objection is still open to doubt, the grounds of which I need not state, as the substantial merits of the case are involved in the motion to enter a verdict for the defendant on the plea of *nil debet*. From this the award itself is fully before us, as well as the evidence relied on as impeaching it. The award is to this effect, that a dispute has arisen between the plaintiff and the trustees and managers of the bank with respect to the sum of 27*l.* 9*s.* deposited by him previous to the 9th August 1844, and that the said dispute had been referred to the barrister, the arbitrator appointed pursuant to the Act of 7 & 8 Victoria. It then recites that he had examined the claim so made on the trustees and managers and the books of the institution, and finds that 10 persons, whom it names, are trustees, and that 11 others, also named, are managers of the bank; and the arbitrator then awards that the said trustees and managers in their acts and duties, as such, have been guilty of wilful neglect and default, and the arbitrator awards that the said trustees and managers shall pay the plaintiff, on a day and place named, 27*l.* 9*s.* in full of all claims which he has on the trustees and managers of the bank. This award is dated 19th June 1848. It appeared in evidence that Mr. Pratt came to Tralee on the 19th or 20th of April 1848; he sat for some days in the grand jury room, and was occupied in investigating the affairs of the bank and the claims of the depositors; on the 21st April Mr. Pratt states that he issued a circular notice to the trustees and managers,

managers, including the defendant, and sent it to them; that circular is in these words: "Tralece, 21 April 1848. Your name appearing in the books as one of the trustees of the savings bank in Tralee, I have to request your attendance at the court-house on Tuesday, 23rd of April, at one o'clock, respecting certain claims made on the trustees and managers." He states that many of the persons to whom the notice was addressed, and amongst them the defendant, attended the meeting, and that he stated to them that he would be in attendance next day to receive the claims of depositors; that he accordingly did attend for three or four days, and the depositors made their claims on slips of paper; the defendant also attending and assisting, having been assured by him that by doing so he would not incur any liability beyond what they would incur if they had not done so. He further stated, that he gave no notice in writing at the office of the bank of his intention to adjudicate on the claims of the depositors, and that though the circular of the 21st recited that certain claims had been made on the trustees and managers of the bank, no such claims had in fact been made before the issuing of it. I need not remark that it is essential to the validity of an award, as indeed it is to that of every judicial proceeding, that the party to be bound by it shall have the notice of it which the law requires. I may extend the remark to the necessity of notice to all those who, from their joint liability, may have an eventual interest in seeing that others as well as they themselves have had such notice as to make the award binding on all. Now let us see: had all or any of these parties the notice to which the Act entitled them? It says, if a dispute shall arise, it shall be referred in writing to the arbitrator, who shall have power to proceed *ex parte*, on notice in writing left or sent to the office. According to the evidence I have stated, not one of these directions was pursued. There was not any notice in writing of any kind sent to or left at the office. The circular of the 21st was not left or sent there, and if it had been, it was written and delivered before any dispute arose; and the statement in it that certain claims had been made, is admitted by Mr. Pratt not to have been true. So that if a claim were equivalent to a dispute between the claimant and the trustees, none had been made at all when the circular issued, nor was any demand made in writing until after Mr. Pratt had commenced his inquiry, when by his directions the depositors filed slips of paper, stating the amount of their demands. There seems therefore to have been in all these several respects an omission to comply with what the law prescribed as essential to the jurisdiction of Mr. Pratt. I think it impossible to treat these as omissions of mere matter of form. The case before us is but one of a vast number of awards, all the result of an investigation of three or four days, making every trustee and manager, whether absent or present, liable to pay every depositor 20 s. in the pound. There never, in a single instance, has been any written notice or specification to any of them of the facts or grounds on which they have been held to be responsible. It is impossible, in my opinion, to attribute to an award made under such circumstances the final and binding character which it would possess if the provisions of the Act had been regarded and pursued. It has been argued, that however objectionable this award may be in the case of the trustees who did not appear, it is not competent to the defendant and those who appeared before Mr. Pratt, and attended and assisted at the investigation, to object that they had not notice, for that they had notice in fact when the written claim was signed and filed. Whatever might be the weight of this argument, and whether it would have been just to proceed to award against one when all, as is said, were liable, are considerations from which, as it appears to me, the plaintiff is precluded by the evidence of Mr. Pratt, from which it is manifest that the defendant was led to believe from that gentleman's assurance that so far as regarded him and the other attending trustees, their presence and assistance was not to affect them prejudicially. This is to my mind the plain meaning of the intimation to him, and it would therefore be contrary to good faith to bind or affect them by acts done in reliance upon this assurance. For these reasons I think we are bound to give judgment for the defendant, and to order a verdict to be entered for him on the plea of *nil debet*. This determination I should have regretted if I had found that in fact the arbitrator had gone through the due course of inquiry, by the result of which alone he could have been warranted in awarding that the defendant was indebted to the plaintiff and the other depositors in the whole amount of their deposits. But as far as I can judge, this conclusion was arrived at as the consequence of a very large deficiency of the bank funds, without

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inquiry into the causes of that deficiency, without ascertaining to whose misconduct it was attributable, and without taking the accounts necessary to establish the right of the plaintiff to be paid 20*s.* in the pound by the defendant as his personal debtor."

1446. That judgment is in favour of the trustee?—That judgment decided that the action was not maintainable in substance.

1447. Have you heard that it has been publicly stated, that that judgment was delivered solely on technical grounds?—I did hear something of that in the Hall of the Four Courts.

1448. Is that the case?—Certainly not; it may be said that it is, and that it is not technical. Some of the counsel told me that they had heard it had been mentioned that it was delivered on technical grounds.

1449. *Chairman.*] And I understand you to say, you think that there are possible grounds for that impression?—[I think there are grounds. I will not say there are not, because to a certain extent it goes on a technical decision; but on reading it all through, there are portions which will show clearly that even independently of technical points the Court were ready to decide that the award was wrong.

John Emmanuel Hughes, Esq., called in; and further Examined.

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1450. *Chairman.*] THAT is one of the slip books (*handing the same to the Witness*); is not that in your handwriting?—It is.

1451. Does not that explain the receipt of 1,151 L. 3*s.*?—It does.

1452. There is no doubt, therefore, that you did receive it?—No doubt I received that payment; I see that was on Wednesday. Those sums were received by Mr. Mayne, and, I presume, handed by him to me.

1453. Is not that addition in your handwriting?—It is.

1454. *Sir G. Clerk.*] Stating the manner in which it was received; how much in notes, and how much in coin?—Yes.

1455. *Chairman.*] That is in your handwriting?—Yes.

1456. Again I must ask you, can you tell us what has become of it?—I cannot; that particular sum may have been applied in the repayments.

1457. You cannot tell us where to find any record of it?—I cannot.

William Henry Porter, Esq., called in; and Examined.

W. H. Porter, Esq.

1458. *Mr. H. Herbert.*] DO you remember the year 1845?—I do.

1459. Were you in London about the Cuffo-street Savings Bank, in that year;—I was; about the month of November 1845.

1460. By whom were you accompanied on that occasion?—By Mr. Purser, of the firm of Arthur Guinness, Sons, & Company, of Dublin.

1461. Did you visit the Chancellor of the Exchequer at that period?—We did.

1462. Was anybody present on that occasion?—Yes, Mr. Higham, the Comptroller-general of the National Debt Office, and Mr. John Todd Pratt.

1463. Had you a communication with the Chancellor of the Exchequer at that time?—Yes.

1464. Have you read that statement of what passed during the interview with Mr. Goulburn (*handing to the Witness the Minutes of Evidence taken before the Committee in 1848*)?—I have.

1465. Is it there stated correctly?—There are a few matters that are not stated correctly.

1466. *Mr. Goulburn.*] By whom is that statement made?—It is given in evidence by Mr. Keating Clay in the year 1848. Where the superintending committee are spoken of, there are one or two of the names improperly given; there is the name of Mr. T. J. Ward, an attorney, given here, which should be Mr. T. J. Card; and where the name of Mr. Ralph Jarman is given it should be Mr. Ralph Harman, an attorney; and matter occurred in that interview with the Chancellor of the Exchequer which is not stated here. It was stated to the Chancellor of the Exchequer that a great many irregularities had occurred in the bank, and amongst others, that some alterations had taken place in the rules of the bank, which taken in connexion with the fact of the large deficiency which was on the face of the account, and the errors in the classified statement of the accounts

were

were of a very alarming nature. One to which I may particularly direct the attention of the Committee was this: it was in the rule which required that auditors should be appointed to examine the affairs of the bank. In the book which I have, it is the 29th rule. The rule ran thus, "The accounts of this bank shall be examined from time to time by such person or persons as the general Board of trustees and managers shall at their annual or any special general meeting appoint; such auditors not to be either trustees or managers, and their certificates to be submitted to the annual general meeting, together with the statement of accounts." We pointed the attention of the Chancellor of the Exchequer to an alteration in that rule which took place after the passing of the Act of 1844, an alteration which I believe was certified by Mr. Pratt, omitting this portion of the rule, "Such auditors not to be either trustees or managers, and their certificates to be submitted to the annual general meeting, together with the statement of the accounts," that was omitted. It appeared to us that that was a very alarming fact, when on the face of the statement we showed to the Chancellor of the Exchequer that there was a clear deficiency of nineteen thousand some hundred pounds. We thought it was also an alarming fact, when in the classified statement the deposits of 400 depositors, whose balances were above 150*l.*, and did not exceed 200*l.*, were set down at 57,282*l.* 3*s.* 6*d.*, whereas that item should have been, at the lowest figure, 60,000*l.* I remember distinctly on that occasion Mr. Higham saying to me that I was wrong in my calculation, and I asked him how; he said that many of those balances exceeded 150*l.* I said they all exceeded it, and taking it at 175*l.* round, it would make the matter 10,000*l.* worse. The Chancellor of the Exchequer said that was clear, so that matter terminated. The main features of the statement here are correct, but there are two or three points to which, if it were the pleasure of the Committee, I should wish to call their attention in reference to this matter. It seems to me that much light may be thrown upon this subject if the Committee are pleased to look for evidence in the proper way. I believe that it can be shown that certain sums have been unaccounted for. If there can be shown the dates at which those unaccounted for sums were so unaccounted for, I think if it be the pleasure of the Committee to call upon the National Debt Office to produce before the Committee the monthly returns which that savings bank ought to have handed in, it will either evidence that fraud and fiction was resorted to in the manufacture of those statements, or else the thing must be detected how the money escaped.

1467. *Chairman.*] How will it show how the money escaped?—I think it will show that it has not been brought in. I do not know whether the Committee are familiar with the form of that monthly return. I think the National Debt Returns are the most complete things that can be conceived of their kind. This is the form of the monthly return (*producing the same*). The first item in that monthly return shows the sum that remained to credit in the hands of the parties at the close of the previous day's proceedings; it adds to it the sums that have been received from depositors; and if there has been any thing received from the National Debt Department it adds that also, and the total is brought out. It gives on the other side the sum that has been paid to depositors and sums that have been lodged with the Commissioners, and shows the balance in hand; and with that balance you begin the next day. Now, if the returns analogous to this which I produce are brought up from the National Debt Department, it ought to show you at a given date how the thing really stood. My own connexion with affairs in reference to this bank was simply this: I should state that I am a manager of the Dublin savings bank. In the year 1845, a personal friend of my own, considerably advanced in years, desired to have an annuity purchased through the Dublin savings bank; having asked my advice about it, and obtained the best information I could impart to her, I got her through all the forms; the consent of the National Debt Office having been given, her annuity was agreed to be granted, and the only matter remaining was as to the money and how it was to be produced. I asked her where was the money, she told me it was in the Caffre-street savings bank; she put two books into my hands. I said, "Are both these your books?" She said "Yes." "Are you not aware that this is illegal?" she said she was not. I said, "We must keep our own counsel until we get one of these books at all events paid off." I went to the Savings Bank with her, and one of those accounts was paid off.

1468. Do you recollect the amount of it?—I think it was over 100*l.*, I cannot be particular; the second book had, I know, 40*l.* in it, but I believe in both

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books there were manifest illegalities on the face of the accounts; this only established my own view, which I had entertained for some time previously, that all was not right in the bank, and on my visit to the bank to procure the money of this lady, I pressed the gentlemen whom I saw to give me a copy of the annual return, which I felt I was entitled to for this lady, on payment of a penny; they threw many obstructions in my way, and finally they declined to give it to me; and the reason they assigned was, after paying the amount in the first book, that this Mrs. Brady being no longer a depositor, was not entitled to demand it. I said, "I beg your pardon, Mrs. Brady is entitled to demand it, because she is a depositor," and I produced her book with 40*l.* in it, and claimed the account. At the same time I gave notice for 39*l.* 10*s.*, wishing still to retain Mrs. Brady in the position of a depositor. When I went to receive the 39*l.* 10*s.* I was paid in full. The trustee on duty on that occasion was the Rev. Smyth W. Fox; I told him when he gave me the 40*l.*, or wanted to give it to me, that Mrs. Brady did not wish to close the account. He said that she should close it. I said that she was not wishing for it, and that I did not choose to close it for her; whereupon, he threw the money after me in the office. I left the bank, taking away the lady, not wishing to expose her to any inconvenience, or what was disagreeable, and I returned presently with the Act of Parliament; I sought to show the gentlemen that if they were determined to close her account, there was a legal way of doing it, and a way that would not be injurious to Mr. Brady's interests. I proposed that they should give a certificate, to enable her to lodge the whole sum in another bank. After a length of time, having declined to give me any certificate, they gave me one, which I told them at the moment I would take, but I declared it to be an insufficient one, and that it would not be received as the one upon which the money could be lodged. I brought her money and the certificate to the other savings bank, and accordingly, as it was not a legal one, they declined to receive it. A good deal of correspondence ensued between me and that committee. When I could find no redress, I went to the chief secretary's office in Dublin, and the party whom I saw there told me that it was not to that department that I could resort; that they had nothing to do with it. Upon hearing this I went to the Archbishop of Dublin, who was nominally the president of the bank; I showed the Archbishop the same statement of the account that I afterwards submitted to the Chancellor of the Exchequer, which is here; and when I showed his Grace the matter of the 400 depositors, making 57,000 some hundred pounds, it so appeared to incense him that he started from his chair, apologised for leaving the room, and I heard him instruct his servant in the hall to desire all the servants that had money in Cuffe-street to go down and get their money. The Archbishop of Dublin afterwards, as his secretary informed me, spoke to Sir Thomas Fremantle, who was then Chief Secretary for Ireland. Sir Thomas Fremantle told him that he was not in a condition to demand the statement when the Archbishop desired, and that he did not like asking for anything which he could not enforce, and that the proper course was to refer to the Chancellor of the Exchequer in Downing-street. It was upon hearing that, and not until, as the Committee will perceive, we had turned many a stone, indeed every stone that could be turned to get redress at home, that we came to London to wait upon Mr. Goulburn. In the packet with myself in coming over was Mr. Fox. There was a very serious run upon the bank at the time, not, as it was sought to be shown, arising from political considerations. That I believe to be utterly unfounded; but it was from the want of confidence which existed at the time in the bank itself, and in those that were immediately concerned in its management; I say that most deliberately. We were rather surprised, on our visit to the Chancellor of the Exchequer, to have almost an immediate reproof administered to us for coming to London to interfere with an institution with which we were in no way or shape concerned; a rival institution it was called. Now the spirit of rivalry never entered into our Board-room. There was room enough, and there is room enough in Dublin for two savings banks, but there is no room for rivalry, where gentlemen act honestly and get nothing for what they do. Therefore, we sought to show to the Chancellor of the Exchequer that there was no such thing as rivalry existing. We felt indebted however long since to Mr. Goulburn for having stated in his place in the House of Commons, that he had since reason to believe that no such thing existed.

1469. Mr. H. Herbert.] Did Mr. Goulburn at the time act as if that was his impression?—No, we had nothing except that, I will not call it severe reproof, but

but beyond that we had every reason to acknowledge the courtesy with which Mr. Goulburn received us.

1470. I do not impute to him a want of courtesy to anybody, but did he not show that that was his impression by not acting upon the suggestions which you gave him in 1845?—Yes; after the interview in Downing-street with Mr. Goulburn we never heard more of the matter, but to have the papers returned to us in a bundle without any communication whatever in about a fortnight after. No steps that we were aware of were resorted to for the purpose of closing the bank. We urged Mr. Goulburn to close the bank; he told us that he had not the power. Mr. Pratt told us that if the bank failed the trustees and managers would have to pay the money, because they would be found guilty of wilful neglect or default. I asked him to define what wilful neglect or default was; he declined to do so; but Mr. Goulburn was of opinion that they had no power to close the bank. Now, with great deference for his experience and knowledge in these matters, we differed in opinion with him upon the point, not that he could say to the bank, "You must close your doors," but that he could say "We will not keep your account open any longer;" and moreover that in saying that, he could say, "We will impose the funds that we have until we see how things go on." The effect of such a step we felt would be to close the bank beyond all doubt; we stated that it might be done, and we showed that cause existed why it might be done; because I think in no single case since 1831 was that bank regular in sending in its returns, therefore in any one year, that being proved, it was practicable to close the bank. I do not know whether the Committee are aware of the fact, but the Commissioners for the Reduction of the National Debt, or one of the departments of the National Debt Office, furnish forms for the annual statement, and on the back of the form there is printed all this matter (*producing one*). Amongst other things that are printed on it is this: "And be it further enacted, that if the annual statements directed by the said Act, passed in the 9th year of his late Majesty King George the Fourth, to be prepared and transmitted by the trustees of a savings bank, shall not be prepared and transmitted to the Commissioners for the Reduction of the National Debt within the time limited by the said Act, it shall and may be lawful for the said Commissioners, or for the Comptroller-general, or Assistant Comptroller acting under the said Commissioners, and they and he is and are hereby severally required forthwith to publish in the London Gazette, and also in any newspapers published in the county in which the savings bank is established, the name of every such savings bank so neglecting or making default in transmitting such annual statement as aforesaid, in such form and words, for the information of the depositors, and under such regulations as the said Commissioners, or the said Comptroller-general or Assistant Comptroller shall from time to time think fit." And to that section there is this marginal note: "The trustees are requested to observe that this clause is imperative upon the Commissioners." Upon that we formed our opinion that the Chancellor, if he had been pleased so to do, could have closed the bank in the way that I have pointed out.

1471. Therefore on the face of that document it is clear that at that date the Commissioners themselves considered that clause in the Act of Parliament compulsory, and not optional?—I conceive there is no doubt of it; at the time that we visited the Chancellor of the Exchequer, we were charged with the custody of a letter, which I now hold in my hand, and which Mr. Goulburn read aloud in his office; that letter is on the face of this report, and is by Mr. Heresford B. Smyth. I am inclined to think that the Committee will lose an opportunity of getting a better insight into how things went on within the bank, that is, in the Board-room of the bank, of which I know nothing, unless they bring Mr. Smyth before them: Mr. Smyth, as a trustee of that bank, as a manager of that bank, fought battle after battle in the Board-room in order to obtain the accounts and learn the real condition of that bank; Mr. Smyth will be able to tell you to whom it was that he was indebted for the obstructions that he met with in getting those things; that he met with many obstructions, and finally, without withdrawing from the bank, I think he was considered; I think there was a sort of power given to the superintending committee of removing and adding as they thought proper, and I think they availed themselves of it and cashiered Mr. Smyth.

1472. You stated just now that that gentleman fought battle after battle in the Board?—In the Board room.

1473. Finding himself, I presume, defeated in the Board, he applied to the Government?

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Government?—Yes; he entrusted this letter to the deputation. I had no acquaintance whatever with Mr. Smyth, until within about a fortnight or three weeks before the date of this letter, which is the 20th of November 1845; and I took the liberty then of introducing myself to him, having met him in one of the streets of Dublin, and knowing that he had some knowledge of the affairs of the Coffee-street Bank, and to my astonishment I found that he was able to state what this letter contains; he charged us with the custody of that letter, and Mr. Gealburn read it aloud in the presence of Mr. Parser and myself, and Mr. Higham and Mr. Pratt. The closing paragraph of that letter stated this: "If no inquiry now takes place, and the select managers are undisturbed, I fear the Commissioners will hear of this bank under less fortunate circumstances." I think every word contained in that letter of Mr. Smyth, which to me looks like a prophecy, has come out to the letter.

1474. [Chairman.] Is there any party except Mr. Beresford B. Smyth, whom you know of, who is likely to give an account of the internal proceedings in Coffee-street?—No, I cannot say that there is; but there are parties who will give other information to the Committee.

1475. Who?—There is a Mr. Ross Cox, connected with the head police office at Dublin, who as I understand proceeded to America some years ago, in search of a fugitive treasurer belonging to the Dublin corporation; and I understand upon very good authority that Mr. Cox there met with Dunn, the late attorney of the bank, and that Dunn revealed to him a great deal of matter connected with the period of 1831, which was of a very serious nature. So I understand, I do not know the particulars of it; and I should say as a reason why I think this evidence ought to be got out, that there is a difference of opinion in Dublin with regard to the period of 1831. There are some gentlemen in Dublin whom I am personally acquainted with, and who are of the highest possible respectability, who believe that Dunn was a wronged man as to the extent of his delinquencies, and that the chief fact which bears against Dunn, is that he ran away. Therefore whatever Mr. Cox can relate upon the matter, I should say would be of importance.

1476. Is there anybody else?—I do not know of anybody else that I would suggest should be summoned.

1477. Do you know Mr. Farran, who was a trustee of that bank?—He is a very intimate friend of my wife's family.

1478. He is a very old man, is not he?—He is a very old man.

1479. Is he in a condition to come over here to give evidence?—I should fear it from his years; I do not know it. I hardly know Mr. Farran by appearance, but the opinion, if I might venture to express what is the opinion entertained with regard to Mr. Farran, is that he is a man of upright character. I may also say that those who have been looking on at this matter are very apprehensive that an ingenuity has been resorted to, to baffle inquiry just in the position in which you have it; that an attempt to mix up innocent people with perhaps guilty people has been part of that scheme. Now, in the lists of the committee that I have seen, and of the trustees that I have seen, there are names of gentlemen who are of an unblemished character as I believe any gentlemen in this Committee-room. There is one gentleman whose name is there, that at my own instance, and in consequence of my not being satisfied with the way in which the bank was going on, resigned his post to my own knowledge 15 years ago, and yet his name is still amongst the trustees.

1480. Who is that?—I now name Mr. Maurice Collis, of Merrion-square, a surgeon. I may also mention that for a number of years it was the practice not to publish the list of trustees with the pass-books; which, if you have any of the pass-books before you, you must perceive. It was my lot since the breaking down of the bank to come in contact with perhaps over 1,000 of the depositors. A vast number of those pass-books were in my hands, and many of them are in my custody at home; but I perceive that since the passing of the Act of 1844, there seems to have been an endeavour (I can look at it in no other way than a concerted endeavour) to shift the depositors position, legal prior to 1844, into illegal subsequent to 1844; in other words, that a depositor may have had 60 *l.*, or 70 *l.*, or 100 *l.*, in his account prior to 1844, all legally lodged, and that by some means or other he was induced to shift his whole sum out of the bank; in many cases it did not leave the four walls of the bank, but was again lodged in a single sum, thereby constituting it an illegal lodgment on the face of it.

1481. Can

1481. Can you tell the Committee how they can get positive evidence of that fact?—I think the only way of getting evidence is to have a number of the books. One of the depositors, I do not remember his name exactly at this moment, told me that he had given notice for his money; he was a shoemaker, and he wanted to lay in leather. Circumstances having changed from the period of his giving the notice to the day on which the money would be paid, that is the week's notice, and fearing that not going to the bank might cause some injury to him, he went down and he said that he did not want his money; they told him that as he had given notice for it he must draw it, but that he could lodge it again, and so it was taken back in a lodgment. Independently of what seems to be an attempt (I can give it no other name) at fraud, it was unjust in another way, because the interest by the savings bank is calculated from the 20th of the month, and by taking out his whole sum, unless it just happened to be on the 19th of the month, the man was liable to lose a whole month's interest on his money, and in that way there was great wrong done. It was in that way that I pointed out to Mr. Fox, when he threw the 40 l. after me in the office of the bank, that he was practising an injustice upon my client, if I can so call her; for that he was depriving her of the means of lodging her money on a given evening, and that she would in consequence be thrown out of a month's interest.

1482. Have you anything more to tell us?—In reference to the members of the committee there are a great number of them dead, and if I had a list (I am sorry I have not one with me) I think that the matter of who the active men in the bank were would be narrowed to a very small compass.

1483. Mr. H. Herbert.] Is there any particular trustee or trustees that you wish to point out as having to your knowledge taken an active part in the management of this bank?—As to my wishing to point out, I do not wish to point out trustees; there is no doubt about it that Mr. Smyth Whitelaw Fox was looked upon as the Alpha and the Omega of that bank.

1484. Mr. Goulburn.] You began your evidence by referring to the report in pages 104 and 105 of the evidence taken before the committee in 1848; by whom was that report made to the Dublin Bank?—By Mr. Purser and myself.

1485. You stated, I think, that there was a very alarming fact omitted about the 29th rule; that something passed with the Chancellor of the Exchequer at that time which you stated to be a very alarming fact?—Yes.

1486. Why did not you insert that in the report to the bank?—Because we gave them the documents which showed it, and we left the documents with Mr. Goulburn also.

1487. You stated that there was a point which you wished to advert to which had been omitted in that statement?—Yes.

1488. Nothing occurs in that statement with respect to your conversation with Mr. Goulburn about the 29th rule, and the alarming fact that arose from it?—No, I believe not.

1489. That being such an alarming fact, and as you were making a report to the Dublin Bank, how came you to omit it?—That I cannot say; we gave all the documents to the Dublin Bank that we gave to Mr. Goulburn.

1490. How came you to omit that fact, having such a lively recollection of it at the present moment, and you stating it to be such an alarming fact?—I cannot say.

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Veneris, 14^o die Junii, 1850.

MEMBERS PRESENT.

Mr. Henry Herbert.
Sir George Clerk.
Mr. John A. Smith.
Sir John Yarde Baller.
Mr. Fagan.

Mr. Goulburn.
Mr. Bannister.
The Chancellor of the Exchequer.
Sir W. Gibson Craig.

JOHN ABEL SMITH, Esq., IN THE CHAIR.

Beresford B. Sneyth, Esq. called in; and Examined.

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1491. Mr. Herbert.] WERE you ever a Trustee of the Caffè-street Savings Bank?—Yes, I was, for a very short period.

1492. You were a manager, I believe, of that bank previously?—Yes, I was.
1493. Can you state to the Committee the date at which you became manager?—I think I became manager about the year 1842; I was not particular in putting myself in possession of the precise moment when I became a manager. In the early part of the time it was a matter of indifference to me, because all matters seemed to go on in a routine course rather, and I did not particularly advert to the fact when I became manager; but I should state that in round numbers it was in the early part of the year 1842.

1494. When you first became a manager, you had no idea that there was any deficiency in the year 1831?—No, I had not.

1495. You did not know that the affairs of the bank were not in perfect order?—No; I looked upon the bank as perfectly solvent at that time.

1496. Did anything subsequently arise which created in your mind suspicions that there was an original deficiency?—In the course of passing one of the accounts, a conversation occurred in the Board-room, and that conversation was to the effect that there was some old claim pending over the assets of the bank, but that it was an arrangement with the Commissioners that that sum was never to be put forward against us, the managers and trustees of the bank, (I am now giving the Committee the idea that first struck upon my mind from the conversation which occurred,) and that in fact the account had been settled. I considered at the time that something had taken place by which embarrassment had arisen in the affairs of the bank, and that the account was settled on the foot of that embarrassment; and I will not say that there was an agreement made at that time, for I know nothing about that term as coming into the matter, but there was an understanding. The Government said, Do not mind that; go on with the concern; let not that embarrass you, but work the concern as it now stands. From what occurred at that time, I considered that the sum was a liquidated sum. This conversation took place about the end of 1843.

1497. Did anything subsequently occur which induced you to suppose that that was an incorrect representation, and that there was an unsettled account, commencing in 1831?—Yes. I was very anxious indeed that the bank should get itself fairly above water. I knew that ultimately there would be a claim against us in point of our integrity as a concern, not that we should be come upon individually as trustees and managers. I said at once, "Our expenditure is about 500 L, put that against the deficit, and we will soon work it out. Mr. Hughes said that is too sanguine a prospect. I said, "Surely you have 1,200 L a year declared surplus, and your expenditure being 500 L, and if necessary you can make it less than that; the whole of the surplus is a good thing, and it will soon eat out our debt." "Oh no," says he, "it will not." I said, "Is your debt 10,000 L?" "Oh, more than that." "Is it 11,000 L?" "More than that." "Is it 12,000 L?" "More than that." I said, "I will tell you that I, for one, begin to feel alarmed. I must know the exact amount of debt officially and perfectly before I go any further."

1498. Did you, in consequence of what you had heard, communicate your alarm

alarm and your intentions to any of the other trustees?—Yes, I immediately opened confidential communications with such members of the Board as I thought were favourable to reform, and we agreed upon a plan of agitation, as I may call it, in order to effectuate a perfect demonstration of what was the exact state of our affairs.

1499. *Chairman.*] To whom do you allude when you use the term “we”?—I and two or three others of the Board who were disposed to act with me in the object which I had in view.

1500. What are the names of those gentlemen?—There was Mr. John Leigh Wharton, of York-street; there was Captain O'Hara; there was Mr. Galway the barrister, and there was a gentleman of the name of Thomas D. Smith, who was to have acted with us, but who did not. Mr. Smith became somewhat infected with what I should call the anti-reform principle; he was opposed to going into these accounts, and although it was expressly stipulated with him that he was to assist us, after some little exertion at first he gave way to the influence of Mr. Fox and Mr. Hughes, who led the opposite party.

1501. *Mr. Herbert.*] When you speak of being favourable to reform, do you mean that the object of those whom you state to have been favourable was to get at the fact of the actual state of affairs?—Yes; the whole thing was the amount due by the bank, and the circumstances in which the debt was placed, and what the proposition was as to its liquidation.

1502. Were any obstacles thrown in the way of your attaining that object?—As long as they thought that we could be appeased by mere plausibilities matters went on pretty well. They stated that they were in the closest communication with the Government; they stated that they were actually forbidden to give any information whatever to any but certain parties, naming, as I think, Mr. Fox, Mr. Hughes, and Mr. Neville; I think also Mr. Farran, but certainly the first three.

1503. When you say “they,” to whom do you allude?—I mean Mr. Fox and Mr. Hughes. They were the only parties who at that time were thrown forward in the opposition to us; they carried that opposition on; they acted; they were the only parties who presented themselves in it; the others were merely listeners.

1504. Did they state to you that you had no right to go into any of the affairs of the bank which occurred previously to your becoming a manager?—They did so; and they said that they were not empowered in fact to disclose anything to me as to this original defalcation.

1505. Did Mr. Hughes and Mr. Smith Fox get personally angry with you whenever the subject was broached?—Yes, constantly; so much irritation always arose when the subject was broached, that it became extremely unpleasant to stir it up, and I did forbear on many occasions to bring it forward. Ultimately, however, I did, from a sense of duty, recur to it, and it always resulted in a violent scene of altercation.

1506. Which Mr. Hughes was that?—Mr. Hughes, senior; he was at that time the actuary of the bank, and had the responsibility as to its management.

1507. You state that these two gentlemen were the parties who took the most prominent part in opposing any investigation into the affairs of the bank?—Most decidedly so; they obstructed us in every step.

1508. Did Mr. Smith Fox ever make any statement to you about a visit which he had made to the National Debt Office in or about the year 1843?—Precisely as to the date I cannot be positive, but I think it was in the year 1843; I think so, because it was in reference to an objection made by Mr. Higham or the Commissioners, or both, that we should not disburse any of our funds upon the improvements. They had expended, or were going to expend, 400*l.* or 500*l.* upon the house and buildings.

1509. Did he state the nature of Mr. Higham's objection?—He was giving an account, as I thought, for the purpose of carrying forward the notion in my mind, and in the minds of those who were with me, that the Commissioners were on a very confidential footing with him. He said that he had seen Mr. Higham at his office; he said that Mr. Higham called him over to a special department, or drawer, or book-case, and that he said, “I always keep our little affairs here separate from the rest; this is confidential; it does not go with the rest;” that he then took out the account of the Coffe-street Bank, and that they had some conversation there with reference to the object of the deputation at that time.

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1510. After the alterations which you have described to have taken place, did you take any steps in order to procure an investigation of the affairs of the bank?—Yes; at first I stated that I thought it would be desirable, and others who were acting with me stated that they too thought it would be desirable, that a public accountant, a person who had no connexion with the bank, should be brought in to settle the whole account, and should manifest to our satisfaction how we stood as to figures.

1511. *Chairman.*] When did you state that?—That was in the year 1843.

1512. Was that at a meeting of the trustees?—It was at one of the monthly meetings; we met every month for the dispatch of extraordinary business.

1513. Will there be any record of that proceeding?—I am very apprehensive that the minutes have been buried, or rather that they have taken no notice of that transaction. The minutes were drawn very much in skeleton.

1514. *Mr. Herbert.*] Did you serve a notice that you would bring the subject before the Board?—When I found that mere conversational requests were not attended to, I said that I was determined to carry the matter forward, and I consequently gave notice that I would move that an accountant should be employed to investigate all the accounts, and that the ledgers and books and documents should be placed before him for that purpose.

1515. Was any objection taken to your notice?—For some time it was contested on the point of formality, that I had not power to raise any such question; it was said that the Act of Parliament directed that auditors should be appointed, and I for some time was endeavouring to get it done by auditors. By neither one means nor the other did they finally effectuate the thing; they avoided it, and they then declined it.

1516. Who were the principal parties making those objections?—Always Mr. Fox and Mr. Hughes, and they had creatures. The other members of the committee formed a sufficient majority for them, but they were the persons who always spoke and dictated what was done.

1517. Do you mean to say that Mr. Hughes, who was the servant of the trustees, was in the habit of speaking and dictating?—Yes, I do say that Mr. Hughes did assume fully and beyond the part of a trustee or manager.

1518. And you state that he and Mr. Fox invariably acted together?—Invariably.

1519. *Mr. Fagan.*] Do you mean young Mr. Hughes?—No; I mean his father.

1520. *Mr. Herbert.*] Subsequently to that did you give any notice?—Then there was the formal notice of which I have spoken; and it appeared to me to be well that this state of things should have a trial, and I was very sanguine; I thought that I would perhaps have a majority, or that the Board would be equally divided. The day was fixed, and we met, but when I came there there were a number of persons present who had never been in the Board-room before, whom I had never seen, at least in that capacity. It appeared that these persons were managers and trustees, although they had never been seen by me in the bank before, and they out-voted us by a large majority.

1521. *Sir G. Clerk.*] In what year was this?—I think it was in the year 1843 that these various controversies occurred.

1522. *Mr. Herbert.*] Can you recollect the names of any of the parties who attended and so out-voted you?—Yes; there was Mr. Farran, there was Mr. Dunn, and there was also Mr. Card.

1523. Can you recollect any other names?—Yes; I think there was a Mr. Mayne, but I am not quite certain. There were others I know, but I cannot at this distance of time bring their names to my recollection.

1524. Is it your impression that there were any other parties except Mr. Farran who were men of substance?—No, I would not say that there were any other parties who deserved exactly that appellation.

1525. *Sir G. Clerk.*] When did you quit?—I never quitted; they ceased to summon me on the committee, and that is all I know about it.

1526. *Mr. Herbert.*] You are quite confident, I conclude, that Mr. Farran attended that committee?—I am quite confident of it; I recollect that I was particularly annoyed by the appearance of so respectable a man opposed to what I thought was a very reasonable request.

1527. Mr. Farran is a person, I believe, of immense wealth?—Yes, he is a person of a very good fortune.

1528. Are

1528. Are you aware that he was in the habit of signing the annual accounts? —He was in the habit of having the accounts sent to his house to be signed; he never attended the committee, to my knowledge, except on the occasion to which I have alluded.

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1529. *Chairman.*] Did he never attend at the bank?—He never attended at the bank in my time; he never attended during the whole course of the three or four years that I was there.

1530. Is that from 1843 to 1848?—No; from 1843 to 1845.

1531. Mr. *Herbert.*] And yet during that period he was in the habit of signing the accounts?—Yes, as I have heard and believe; for I have heard Mr. Hughes say that he would bring the accounts down to Mr. Farran, who would sign them.

1532. Is Mr. Farran now in a state capable of giving evidence with reference to these transactions?—He is a very elderly man, and I should think perhaps that a physician would not permit him to cross the Channel.

1533. Is he so in possession of his faculties as to be examined in Dublin?—I should think so; but I have never met him in society but once, and that was on the occasion that I have alluded to.

1534. Did you subsequently then to that meeting make any endeavour to inform yourself as to the exact state of the bank?—I asked to have access to the books and the minutes, and I was told that I might look at them on the table while the committee were there; but I had not the opportunity of investigating them in any way satisfactory to myself. I was told that I could not bring them home or permit any accountant to look at them.

1535. Do you mean to say then that you, as a manager of the bank, had obstructions thrown in your way as to looking at the minutes, or at any transactions in reference to the bank?—Yes, I do, in every form, short of personal violence.

1536. By whom?—By Mr. Fox partly, and Mr. Hughes.

1537. Did you at last get at either an account or a minute book?—I was informed that Mr. Hughes brought the minutes away immediately after the Board broke up to his own house in the country, and that they were never permitted to lie at the bank. Whether that arose from the steps which I was taking, or whether it was the usual custom of Mr. Hughes, I cannot say, but at all events, that was his custom then.

1538. His custom was to keep the minutes at his own house?—Yes; his custom was invariably to take them away to his own house.

1539. Did you subsequently, without the knowledge of Mr. Hughes the elder, get the account?—Yes; that account of which it had been stated in the charge was 1,500*l.* less than it should have been. This produced in me a considerable degree of anxiety, and I made a strong request that I might be permitted to have it in my possession for a very short period; I think an hour; and it was given to me upon the condition of returning it within that time. I got a person to copy that account, and that formed the document which was forwarded with my letter of the 20th November 1845.

1540. Did you get that account without the knowledge of Mr. Hughes the elder?—I got that account without the knowledge or permission of Mr. Hughes the elder; I believe without his permission; I am almost certain of it.

1541. Having got that account copied, did you then take any steps?—I then wrote the letter of which I have spoken, which is dated the 20th of November 1845, and which I forwarded to the Chancellor of the Exchequer.

1542. I believe that you did not forward that letter at once?—No; I did not forward it at once, I was doubtful of the effect of sending it by the ordinary channel, and I thought of looking about me for other means, when a friend of mine said that he was going over to London, and having had some conversation upon the subject of the bank, I expressed my hope that the responsibility which I felt attached to myself would be discharged, by his conveying the letter to the Chancellor of the Exchequer, and he did so.

1543. Were you subsequently to the period at which you got hold of that account of which we were just speaking, treated with distrust by the managers?—Yes, I was constantly shunned and prevented from all access or intercourse with documents; and finally, except going to sit there as manager in the cash office, which is a mere formality, I knew nothing of their affairs, for they actually did not summon me to the general committee after that time. I was determined to

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hold on, although all the other parties with me resigned. I held on in order that I might have a standing as a trustee with the Chancellor; that I might write to him officially; that I might strip myself of the responsibility in a proper form, and that sitting there as a trustee I might tell him the whole story.

1544. There were, I believe, two meetings in a week, to receive and to pay money!—There were two openings every week.

1545. Was there a special monthly meeting?—Yes; a meeting of the committee to transact the extraordinary affairs of the bank, such as the settlement of the monthly account and passing it.

1546. But to the monthly meetings or special business you were not summoned?—Never.

1547. Before you sent the letter which you state you wrote to the Chancellor of the Exchequer, did you accidentally make Mr. Porter's acquaintance?—Yes.

1548. Had you any knowledge of that gentleman before that time?—Scarcely any; I had a mere street acquaintance.

1549. Did you communicate to him the fact of your having written that letter?—He came over and said "Do you know anything about the affairs of the Cuffe-street Bank?" I said, "I ought to know a great deal, for I have unfortunately been a good deal mixed up with it." "Then you can tell me the whole story?" "Yes," I said, "I can, but the shortest way of giving you information is a letter which I have in my drawer, and which I have prepared to send to the Chancellor of the Exchequer; I will let you look at that letter, which will tell you a good deal about my views.

1550. I believe that you then gave Mr. Porter the letter?—I gave him that letter.

1551. Is that the letter which is contained in page 105 of the Evidence taken before the Select Committee on Savings Banks (Ireland), in 1848?—It is.

1552. Did you expect any answer to that letter at the time?—I did most anxiously expect a reply.

1553. Do you believe that if you had received any answer to that letter, that it would have influenced those who were inclined to support your views at the Board, and that it would have influenced some who were not inclined to have taken measures to investigate the accounts?—I believe it would have placed the management of the bank in that respect entirely and unequivocally in my hands if I had received three lines from the Chancellor of the Exchequer. I have a conviction of that nature.

1554. Did you, in consequence of not receiving any answer to that communication, state to the depositors that you had reason to be confident that they would not ultimately lose in case of default?—I felt convinced that the facts which I have stated must have been known to the Chancellor of the Exchequer; that he did give the confidence that Mr. Fox assumed he gave to us, acting in the way he did, and that we must be satisfied with it. I felt then that the debt was a liquidated sum, and set down as secured, because otherwise I could not have believed that the Chancellor of the Exchequer would permit that the money, for instance, of A. should be taken to-day, and should be paid to B., a doubtful creditor, to-morrow; for practically the system was this; the money of A. was taken and paid to B. From the statement of the accounts, that must have been manifested to Mr. Higham. In no other way could the bank have been carried on. It made no profit; every single shilling that it possessed was allocated the moment it was received. Then where was the fund to come from to pay doubtful creditors? It could only have come from those depositors who are now so well entitled to redress. I likewise thought, if I may be permitted to add to that statement, that it was an act of wilful default at once against the administration of the bank if they took the funds from A., a *bona fide* creditor, and gave them to B., a creditor termed "doubtful"; it was an embezzlement, in fact.

1555. The Chancellor of the Exchequer.] You have before you the minutes of the proceedings which you have just referred to in your evidence?—Yes, this is certainly one of those occasions.

1556. Be good enough to read to the Committee the part of those minutes that refers immediately to your evidence, giving the date and the members present?—Yes. "Special general meeting of trustees and managers, held 13 June 1845, pursuant to requisition, signed by three Members. The Reverend S. W. Fox in the chair. Present also Arthur Neville, esq.; John L. Wharton, esq.; Captain Osborne;

Osborne; T. D. Smith, esq.; Edward Galway, esq.; Edward E. Mayne, esq.; Peter Fox, esq.; B. B. Smyth, esq." B. B. Smyth, Esq.

1557. Is there a copy of the resolution which was proposed there?—Yes; "The resolution calling the meeting having been read, it was moved by Mr. Wharton, and seconded by Mr. B. B. Smyth, that the accounts of the Bank, from the 1st January 1831 to 30th November 1844, be re-audited, and that the following committee be appointed to have same carried into effect: B. B. Smyth, esq.; T. D. Smith, esq.; and Captain O'Hara; and that an accountant be employed, at an expense not exceeding 200*l.*; which on being put, said proposition was negatived by number 1, 2, 3, 4, 5, 6 and 7, in consequence of which Mr. Wharton tendered his resignation, which was accepted. The resignations of Captain O'Hara and Mr. Galway received last month, as trustees and members of the superintending committee, accepted." "Resolved, that the resolution of the 22d February last, requiring that the members of the superintending committee shall be all trustees, and all other alterations of the rules made on that day be rescinded, and that the rules as certified by Mr. Pratt be the rules of the Institution in future."

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1558. *Chairman.* What profession or position in life are you?—*Barister-at-law.*

1559. Do you hold in your hand a copy of the evidence which was taken before the Select Committee, on this subject, in the year 1848?—Yes, I do.

1560. Do you see the letter to which you have referred in page 105?—Yes, I do.

1561. That is a letter addressed by you to the Chancellor of the Exchequer?—Yes, it is.

1562. You there state that you were four years manager of this bank?—Yes.

1563. And that you had lately been elected a trustee?—Yes.

1564. You were elected a trustee in the year 1842?—I was elected manager about the year 1842.

1565. This letter is dated in November 1845; so that you must have been elected a manager in 1841?—I might have been elected a manager in 1841.

1566. Were you elected in 1841 a manager?—Yes, about 1841 or 1842; I cannot exactly say which.

1567. Take the letter in your hand, and see what you yourself state in it?—I say there that I have been four years a manager.

1568. Then you must have been elected in 1841?—Yes, I must have been; I do not wish to bind myself in that statement in reference to what I said about 1841 or 1842.

1569. But is this letter accurate or not?—It is perfectly accurate.

1570. Have you any doubt about it?—I am not certain as to the date when I became a manager; I said about four years.

1571. I see in that letter these words: "I have been four years a manager;" is that correct?—I think it was correct.

1572. But is it correct or not?—I think it is sufficiently so for the object.

1573. When you sat down to write a letter to the Chancellor of the Exchequer had you any doubt about that matter?—I have considerable doubt on reference to an incident that was not important as to preciseness in date, that I was perfectly accurate. The question whether I was elected manager of the bank in the year 1841 or in the year 1842 had nothing whatever to do with the matter immediately before me in writing to the Chancellor.

1574. When were you elected a trustee?—To the best of my recollection I was elected a trustee in the year 1845, or perhaps in the latter part of 1844.

1575. Will you refer to the following sentence, in which these words occur, after you state that you have been four years a manager: "Throughout this period the annual account presented no deficit;" do you see those words?—Yes.

1576. Upon what do you found that remark?—Upon my not having noticed any deficit in the account as far as I could see. The account presented, balanced on both sides.

1577. To which account do you allude?—The account of 1844, which account accompanied my letter.

1578. Do you mean the account at the bottom of page 106?—I mean the account at the bottom of this page.

1579. May I ask you to refer to it; does not that account for the year 1844 present a deficit?—Not on this page, which is the only one that I noticed, but in

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comparing the other page, the classified balances, which I did not do at the time; there is a deficiency shown of over 19,000 *l.* as compared with the sum in the hands of the Commissioners.

1580. Were not both accounts on one page?—No, to the best of my recollection they were not.

1581. Which account are you referring to?—To the account in this printed evidence.

1582. You are referring to an account which has been furnished by the trustees to the Commissioners?—I believe it was.

1583. Did you ever see one of those accounts?—I saw that account, and I forwarded a copy of it to the Chancellor of the Exchequer.

1584. Are you not aware that on that account there was the classification as well as the account?—I believe there was; I believe it accompanied it. It is a very long time since I saw it, but to the best of my recollection it was exactly as it is here, perhaps on a different sheet.

1585. What sheets?—I think there were two separate sheets; this account was on one sheet, and this account on the other; but I do not recollect that now, precisely.

1586. I must again ask you my former question; you say that from 1841 to 1845 the annual accounts presented no deficit; you made that statement to the Chancellor of the Exchequer?—I saw none.

1587. Did you ever see the accounts?—I did.

1588. Annually?—I saw this account.

1589. Had you seen the previous accounts?—I do not think that I myself noticed them; they were merely pushed across the table and signed by parties who happened to be there.

1590. Then why did you say that the accounts presented no deficit?—I had not sufficient access to the accounts, I believed what I stated.

1591. Then you made that statement without knowing whether it was accurate or not?—It may be so; but my object was to induce investigation by the Chancellor of the Exchequer.

1592. I wish you to pay attention to the next sentence of your letter, which is, "And I was therefore not a little surprised when I learned (which I did casually a short time since), that though not apparent on the face of the accounts, the liabilities of the bank largely exceeded its assets." Is it not true that that account on the face of it did show a deficiency?—The account balances here, and that was the account which I looked to. Here is the account of the assets and liabilities of the bank, and the account balances.

1593. Will you show me where in that first page there is any account of liabilities?—There is the liability of the balance due on the 20th November 1843, 213,401 *l.* 13 *s.* 7 *d.*

1594. That is on page 106?—It is.

1595. Does that account on page 106 pretend to show the liabilities of the bank?—I would conceive it does; I conceive that it shows a liability for the balance due on foot of the account; it shows the sum received from the depositors throughout the year, and the interest allowed; the total making 372,610 *l.* 19 *s.* 2 *d.*

1596. Was there upon the same paper a classification and an explanation of that liability?—Yes; and in the way that the transactions were carried on they were shoved across the table, and whoever was to sign them signed them; nobody else looked at them. I for one did not, for I was not permitted to look at them. I thought it quite useless to interfere with them when I could not check them properly.

1597. When you were a manager or trustee, in either capacity you attended certain meetings of the trustees and managers?—I did.

1598. Were the minutes ever read there?—They were; I think the minutes of every preceding meeting were read.

1599. Did you continue to attend those meetings up to the close of the bank?—No, I was not summoned. I ceased to attend immediately after the resignations which are mentioned in that letter.

1600. In 1845?—In 1845; immediately after that entry in the Minute Book I was to have resigned. I did not resign; but they ceased to summon me to the Board.

1601. Are you sure that at all the meetings which you attended between 1841 and

and 1845, the minutes were read of the transactions of the previous meeting?—I am certain that at every meeting which I attended the transactions of the previous meeting were read.

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1602. That is from 1841 to 1845?—Yes.

1603. *Sir G. Clerk.*] Have you stated when your suspicions were first excited?—I could not precisely state the date.

1604. Was it prior to 1844?—There are two reasons why I could not possibly bring that to my recollection, one of which is that the matter was opened to me gradually, and as I thought, for the purpose of not awaking suspicion. The glimpses that were given to me were casual, and were rather created by my own suspicions than by any information from other parties.

1605. Can you state at what time those suspicions in your mind were first excited? I think you stated that when you first entered into the management of the bank, you considered everything regular?—I think that the controversy must have lasted 18 months or two years, and that is the only way I had of judging.

1606. In February 1845 you were one of the superintending committee?—Yes, in that year I think I was.

1607. Did the superintending committee in February 1845 express their satisfaction at the state of the affairs of the bank, and give confidence to the people?—I do not know; I have no recollection of that, but I think it very possible that it might be so.

1608. Are there any circumstances which have occurred in your observation of the management of the bank, and the mode in which the business was conducted which excited your suspicion?—The circumstance that there were affairs of the bank with which I should not be made acquainted first roused my suspicions.

1609. Was that with reference to the existence of a debt prior to your joining the bank?—No, not prior to my having joined it; I think it was some time subsequent to my having joined it that I became aware that it was a bank deficient in funds.

1610. Did it strike you when you were a member of the superintending committee that there was anything irregular, or anything showing a loose mode of transacting the current business of the day. Was it anything of this nature that excited your suspicions?—Nothing except a departure from giving a copy of the account in the cash office, or rather suspending a copy of the account in the cash office. There were other matters; such as sending the account to Mr. Farraa, the minutes being taken out of the office, the want of access to them, and the accounts not unfrequently being kept in pencil.

1611. Have you power to communicate to this Committee any facts connected with the management of the bank that will account for the defalcations that have unfortunately grown up during the time you were manager?—I have to observe that there never were any minutes of a committee, or committee summoned for the purpose of paying one single shilling of this deficit throughout the whole period that I was in the bank, and yet notwithstanding the deficit appears to have increased between 2,000 *l.* and 3,000 *l.* I never got a summons for a committee except to do the ordinary business.

1612. What deficit of 3,000 *l.* do you refer to?—I allude to a deficit in which, upon looking over some of the accounts that had been published by Parliament, I perceive there is a difference of about 2,000 *l.* or 3,000 *l.* between 1842 and 1845.

1613. Do you mean in the annual account of the commissioners?—Yes; this deficit here of the funds in the bank to meet the liabilities. I confess that I never put the two pages together, and never looked at them with that view. I felt that I was totally incapable with the limited powers in my hand of investigating the matter.

1614. Your statement is, that you were kept decidedly in ignorance of the details of the affairs of the bank?—I was kept decidedly in ignorance of them.

1615. You are therefore not able to communicate to the Committee any facts which will throw any light upon the subject?—No; none whatever. I can only state that the whole matter appears to have been conducted by Mr. Hughes and Mr. Fox.

1616. *Mr. Herbert.*] Considering the powers that you had, did you take every step that you thought desirable to ascertain the exact state of the bank?—Yes; I was anxious to get an accountant, and to join with him in investigating the accounts and bringing to light the true state of affairs.

1617. And having failed in that, what was the result?—I wrote to the Chancellor; but I was perfectly indifferent to details then; I saw that I could not master them.

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1618. Having failed in attaining that object, you communicated the fact to the Chancellor of the Exchequer, who took no notice whatever of the communication?—Yes, I wished to save myself from the responsibility, and, as I thought, the liability as to that state of things.

1619. *Chairman.*] Be so good as to look at your letter again. You state, as I understand you, and I beg you to correct me if I am wrong, that in 1845 your suspicions were excited by the sight of one of the returns made by the trustees of the bank to the Commissioners for the Reduction of the National Debt, and that the suspicions so excited made you request that you should be allowed to retain possession of that document for an hour, and that you employed that hour in having a copy taken of that document?—Yes.

1620. Upon which you wrote a letter to the Chancellor of the Exchequer, of which a copy is before you?—Yes.

1621. In that letter you state that there is a deficiency of at least 1,500 *l.* upon the face of that account?—That it was so alleged by Mr. Hughes and Mr. Fox.

1622. Having the account before you also in the book, will you show me where that 1,500 *l.* of deficiency occurs?—I never knew where it was. It was stated in the Board-rooms by Mr. Fox to Mr. Hughes, that the charge should have been 1,500 *l.* more than it was, and it was assented to by the other party, and that to that extent Mr. Higham was kept in the dark. I admit that the account balances here.

1623. But did not the account which you took away from the bank to be copied, show upon the face of it a deficiency of above 19,000 *l.*?—It appears to me now that it did.

1624. Did you not take a copy of that account?—I had a copy taken.

1625. Did you look at that copy when you wrote that letter?—I did look at this side of it, but not the other; I did not compare the two together.

1626. Upon that side of it which you state you did look at is there a deficiency of 1,500 *l.*?—There is no deficiency, but it was told me that there ought to be a deficiency of that amount; perhaps I do not understand the question.

1627. You state that the charge is deficient 1,500 *l.*; if you made that statement upon the faith of the document which you hold in your hand, be good enough to show me where that deficiency is?—I did not make the statement on the faith of the document which I hold in my hand at all; but I state that one of those two items "To sums received from depositors within the year ending 20 November 1844," instead of being 150,513 *l.* 9 *s.* 3 *d.*, should be 152,013 *l.* 9 *s.* 3 *d.*; there should have been the addition to that, I think, of 1,500 *l.*

1628. Then, although you took a copy of that account, you never looked at the classification?—No; I took that as a statistical account.

1629. Did you ever look at any of the accounts previously to 1844?—I never looked at them with any degree of scrutiny.

1630. And yet you say that they are all right?—I supposed them to be so; I never looked at them; I never examined them. I understood that that item of charge should have been 1,500 *l.* more. Is not that very possible?

1631. Perfectly so; but the very same paper of which you state yourself to have taken a copy, shows upon the face of it that there was a deficiency not of 1,500 *l.*, but of 19,000 *l.*?—Yes; and it shows you that when I made the charge with respect to the 1,500 *l.*, I never had compared it. I sought investigation by the National Debt Office, where the accounts lay, whether true or false. I took it for granted that the whole matter was kept in the dark from us.

1632. *Mr. Herbert.*] Would it amount to anything more than that the case was infinitely stronger than you stated it?—The case was infinitely stronger than I stated it; I think they added 1,500 *l.* to the deficit, by a mode which they never explained to Mr. Higham.

1633. *The Chancellor of the Exchequer.*] What was the mode which they never explained to Mr. Higham?—They did not debit themselves with 1,500 *l.* of receipts of that year.

1634. They sent in a false account?—They sent in a false account.

1635. Your belief then is, that they received more money than they charged?—Yes, that is my belief, for they boasted that Mr. Higham knew nothing at all about it. I never was fully and completely alarmed until that circumstance arose, because then I began to see that there were, in the state in which the accounts were kept, many ways where fraud might have been committed; and when so bold and daring an act as diminishing the amount of the deposits (for that is the only way in which it could have been done) to the extent of 1,500 *l.* was perpetrated,

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I was really alarmed. They gave me to understand that the matter was wholly in the hands of Mr. Higham. B. B. Smyth, Esq.

1636. Did you make any inquiry as to what became of that money?—Yes; there was a statement that the diminution arose from their not wishing the amount of some money, which had been expended on the building, to be known. Some money had been expended on the building, but its amount would have been a great deal more than covered by the sum of 1,500 *l.*, as I recollect. 14 June 1850.

1637. But you did not investigate into the proceedings so as to ascertain what had been done with the money?—No, because I could get no information upon the subject that I could depend upon.

1638. *Chairman.* Do I understand you to state that the trustees boasted at the Board of having received 1,500 *l.* more than they stated that they were accountable for in the account which they rendered to the Commissioners for the Reduction of the National Debt?—I state in the very language of the letter, that I heard Mr. Fox say to Mr. Hughes, or Mr. Hughes to Mr. Fox, and the other assenting, that the charge was deficient at least 1,500 *l.*

1639. And therefore you put upon it that construction?—I put upon it the construction that they must have received more than that sum, because I thought that they should strike the balance exact, there being documentary evidence that would prove how the affairs really stood. I therefore put it down to that, and I concluded that that was the item. With respect to all the accounts, they were a perfect mystification to me. Never would I have thought of comparing that item and saying, "That will not do; there is a deficit." I never thought of doing so.

1640. Are you referring now to the end of 1845?—I refer to the account of the 20th November 1844, of which I sent a copy to the Chancellor of the Exchequer.

1641. Were you ever a party to signing any of the drafts drawn upon the bank?—I could not bring my recollection to bear upon what documents I might have signed.

1642. Do you not recollect the course of business sufficiently to know whether you signed checks?—I cannot recollect at this very distant period. I think it extremely likely that I did.

1643. Do you recollect the process under which those cheques were signed?—The process was, that they were thrown upon the table, and somebody said, "Will you sign it?" or "Do you sign it?" or "Do you?" It was a momentary transaction.

1644. Did you not know what was going to be done with the money?—Yes, I know that there were drafts signed.

1645. When a trustee was applied to to sign a draft, was there no evidence tendered to him, or were no questions asked by him as to what was wanted to be done with the money?—Yes, I should think it was stated for the purpose of making repayments.

1646. How were the amounts of those repayments ascertained?—By the amount in the book; I forget the term they used for that book.

1647. Are you alluding to the repayment book?—Yes, I should think so.

1648. But you cannot speak positively as to whether it was the repayment book or not?—I do not recollect it now, but I should think it was; the book contained the amount for which the draft was drawn.

1649. If drafts were drawn largely in excess of the amounts stated to be required in the repayment book, for what purpose could they have been so drawn?—I cannot see any purpose at all for which they could have been drawn.

1650. Can you at all tell what could have been done with the difference between the repayment book and the drafts?—No; but I should think that nothing but a fraud could have been intended.

1651. Then in whose hands would that money be?—That money would always be in the hands of Mr. Hughes, the actuary. Mr. Hughes received the drafts and got the cash, and nobody interfered with the matter. When I say that, I mean outwardly and apparently.

1652. I presume you are cognizant of the fact now, however ignorant you might have been then, that there are great errors and deficiencies in these accounts?—Yes, I am.

1653. Do you attribute those errors and deficiencies to the mismanagement of any particular parties?—I do.

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24 June 1850.

1654. Have you any objection to state to whom you allude?—I think it impossible that parties who were always endeavouring to conceal the real state of affairs; who took great pains to do so, and at the same time had the power to do so, these being interested parties, could have acted thus without a motive.

1655. Who are the parties to whom you allude?—Perhaps I have no right to impeach any one's integrity. I would prefer not to do so; I think I state in my letter to the Chancellor of the Exchequer a great deal, and fully enough, and as much as a public man ought to do about a thing of the kind, namely, that I could not ascertain what had become of that deficiency. In other words, I should prefer not to make a charge.

1656. I do not wish you to make a charge, but you must be aware that very large deficiencies have occurred in a public fund of which you were one of the trustees?—Yes, I am aware of that.

1657. Then I ask you to whose mismanagement do you attribute that deficiency?—I attribute that deficiency to those who undertook to manage that deficit account; who knew all about it, and who of course, as I believe at least, did charge the bank with anything that was superadded to its liabilities, beyond what it really ought to have had charged to it.

1658. I must ask you again what deficit account are you alluding to?—To that original deficit account which was kept open, and which might accumulate to any amount, because there was no check upon it.

1659. Did you never see the Minute Book?—I did often see the Minute Book, but I never read it, nor was I permitted to read it; I may say that there was the greatest jealousy in guarding it from me.

1660. Have you never seen it since?—Never till I saw it just now.

1661. Perhaps you are not aware that in the year 1839, the general committee passed a resolution, declaring that all amounts of claims arising from the deficiency of 1831 had been settled?—I never knew of any transaction throughout the whole period, short or long, in which I was engaged in the business, in reference to that question at all being brought before the Board.

1662. If it were true that in the year 1839 all claims arising out of Mr. Dunn's defalcations were paid, to whose mismanagement would subsequent deficiencies in the assets of the bank be attributable?—I would say that if in the year 1839 all these claims were paid, I find it very difficult to whom to attribute that mismanagement.

1663. *The Chancellor of the Exchequer.*] Have the goodness to look at that report (*the Minute Book was handed to the Witness*); what does that report purport to be generally?—Report of the superintending committee upon the transactions of this institution from the 20th November 1838 up to the 27th February 1839.

1664. Does it not appear in that report that all the debts of 1831 had been discharged?—Yes, certainly, it is quite manifest; at that time the bank should have been perfectly up to a level with all the claims against it.

1665. *Chairman.*] Supposing that minute to state accurately the condition of the savings bank, to whom would you attribute the subsequent deficiencies, if any?—I could only attribute suspicions. I do not think that I should be obliged to state what my suspicions are; I cannot see that I would act properly in doing so. I have certainly very strong suspicions myself, but at the same time I would not wish to make my suspicions evidence.

1666. You are aware of the power of this tribunal?—I am.

1667. As you are a barrister, I need not say a word upon that subject; you are aware that this Committee can deal as they think fit with your evidence; I therefore beg again to press you to answer the question which I put to you; as one of the trustees of this public fund, in which most grievous deficiencies have been found to exist, I ask you to whom, in your mind, these deficiencies are to be attributed?—If you compel me to reply, I should say that I know no parties to whom I could attribute the deficiency specifically, who, at least, come within my suspicions, but Mr. Hughes and Mr. Fox.

1668. Mr. Smith Fox?—Mr. Smith Fox.

1669. Have you anything more than a general suspicion arising from the general tenor of their conduct?—Nothing whatever.

1670. You know of no facts upon which you can build?—I know of no fact whatever. The only reason (and it is a very painful thing for me to be compelled to

to say it) upon which I assert it is, that nobody could have done it without their knowledge.

1671. *The Chancellor of the Exchequer.*] They were the parties practically conversant with the management of the bank?—They were the bank. Of Mr. Fox, I would say that he was despotic ruler of the bank.

1672. In your opinion, no material transaction could have taken place with regard to the transactions of the bank without his knowledge and privity?—None whatever.

1673. *Mr. Herbert.*] If the circumstances which have been stated to you by the Chancellor of the Exchequer and by the Chairman, were of such a nature as to excite suspicion, do you not think that the subsequent conduct of Mr. Hughes and Mr. Fox towards you would confirm that suspicion?—I think that their conduct in reference to me and to the party who were acting with me, and endeavouring to obtain light and information, is very strong evidence against them as to motives; I think that it is very decisive evidence against them. I do not see why a man should implicate his character unless he is to get something by it. They certainly have badly implicated their reputation in holding the strings of so delicate an affair upon their own personal responsibility.

1674. Be good enough to read the sentence which I have marked in your letter of November 20th, 1845, to the Chancellor of the Exchequer?—"I would further beg leave to state that this institution is now practically altogether in the hands of a very few individuals, whose course in conducting its affairs may not improperly be styled a confederacy."

1675. Are not those the very parties to whom suspicions attach?—Those were the parties to whom I referred.

1676. *Sir W. Gibson Craig.*] Do you think there are others who must necessarily have been conversant with these frauds?—I think there may have been others who were cognizant of them, because they acted and co-operated with those persons whom I have mentioned, but they were so much wielded and governed by the parties whom I have just named, that I could not possibly fix upon them the same suspicions that I do upon the first.

1677. No money could possibly have disappeared without the knowledge of the cashier?—No money could possibly have disappeared without the knowledge of the cashier.

1678. Nor could it have been done without the knowledge of Mr. Smith Fox?—No; I think he was very much in the cashier's confidence. I beg to state, that if I had heard from the Chancellor of the Exchequer at that time I believe I could have managed to have brought the bank quietly to a close; I am satisfied of it, and that there would have been about 18s. in the pound payable to the depositors, upon the supposition that this was a correct statement at that date; but whether or not, if the bank had been shut and the fund impounded, the depositors would have obtained a large dividend at that period.

B. B. Seely, Esq.

14 June 1850.

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A P P E N D I X.

Appendix, No. 1.

REPORT of David Martin, Esq., to the Chancellor of the Exchequer,
dated 14 December 1849.

House of Commons, Committee Room B.
14 December 1849.

Sir,

REFERRING to my letter addressed to you on the 16th June last, respecting the accounts of the late St. Peter's Parish Savings Bank, in Cuffe-street, Dublin, I have now the honour to state, that, since the 28th of that month, when all the books and accounts found in the savings bank, having been brought to England by order of the Select Committee, were deposited here, I have been employed, with the help of several assistants, in the investigation of the accounts; and having early learnt from the Chairman of the Select Committee that it was desired to have the amount of balances due to depositors on both November 1839, 1843, 1848, 1845, and 1846, extracted from the depositors' ledgers, these were first attended to, and I have the honour to enclose statements, marked (A.) to (H.), showing the liabilities, the assets, and the apparent deficiency, on the 20th November in each of the following years; viz.

Appendix, No. 1.

Reference to Statement.	Page.	Year ending 20th November	Liabilities on Accounts Open in the Ledgers.	Assets.	Apparent Deficiency.	(See Evidence, 1848, p. 124.)	
						(Surplus appearing in Savings Bank Accounts, as returned to National Debt Office.)	(Deficiency appearing in Savings Bank Accounts, as returned to National Debt Office.)
			£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.
(A.)	-	1839	187,720 11 10	183,241 1 3	4,478 10 5	—	—
(B.)	-	1841	115,484 10 3	97,493 2 4	17,991 13 9	(39,772 12 5)	—
(C.)	-	1843	153,630 4 —	130,704 0 9	22,925 17 3	—	(8,971 12 2)
(D.)	-	1845	841,293 11 10	180,584 0 9	660,709 10 1	—	(660,709 10 1)
(E.)	-	1846	883,212 0 10	300,708 10 0	582,504 10 0	—	(582,504 10 0)
(F.)	-	1840	103,708 10 11	48,417 6 —	55,291 4 11	—	(55,291 4 11)
(G.)	-	1847	57,928 0 4	86,928 10 11	29,000 0 7	—	(29,000 0 7)
(H.)	-	Close in May 1848	64,774 0 0	50 10 5	64,724 9 5	—	—

To these I have added, in parentheses (), the surplus or deficiency, as stated in the printed Minutes of Evidence, 1848, from the accounts sent in to the National Debt Office, that you may compare with them the amounts of the deficiencies as now found.

It will be observed that the real deficiencies do not at all correspond with those which were stated on the accounts transmitted to the National Debt Office; that the increase of upwards of 12,000 £, which, according to those accounts, took place between November 1846 and November 1847, and which has been so much observed upon, did not in fact take place; and, indeed, I may here remark that these accounts so forwarded to the National Debt Office must have been wholly fictitious.

I wish here to observe, with reference to the surplus returned by the trustees as having existed in 1831, that when I wrote my report in Dublin in June last I was not aware of the letter and statement addressed by the registrar of the savings bank, on the 11th April 1839, to the National Debt Office, showing, in explanation of the account current to 20th November 1839, the amount of the balances on the old ledgers "appearing open, but doubtful," to have been 477,493 £ 12 s. 8 d. It will be observed that this statement entirely agrees with the result of my investigation as given in my report. Neither was I at that time aware of the existence of a document which I found amongst the mass of papers brought to London from Dublin, viz., a report from Mr. Byrne, public accountant, dated of April 1831, on the accounts of the savings bank (herewith enclosed, marked No. 1*), from which it will be observed that the trustees had had recourse to the assistance of an accountant in the investigation of their accounts before Mr. Todd Pratt made his award. It appears extraordinary that the trustees should have withheld from Mr. Todd Pratt a report which, though mistaken and defective in many respects, is of a character so alarming, that if Mr. Pratt had seen it, he never could have reckoned on the existence of a surplus, out of which some sums were awarded by him to be paid.

Appendix, No. 1.	By deducting from the apparent deficiency at the close of the savings bank in 1848, viz. - - - - -	£.	s.	d.
	The amount apparently deficient on 20th November 1830, before the late registrar absconded, viz. - - - - -	64,683	7	1
		4,488	10	5
	A difference appears of - - - - -	£.	60,194	16 8

This large sum must, it is evident, have been either absorbed by expenses, paid for awards or orders to make good the amount of deposits which had been fraudulently withdrawn by the former registrar, or abstracted for some purpose not explained. My object has been to ascertain when and in what manner this was done; and in order to effect this object, a very lengthened examination has been necessary, no general ledger or general cash book showing the transactions of the bank being to be found, excepting a book containing merely the amounts of the day books and repayment books from the commencement of 1848, which throws no light on the matters under investigation. And I beg here to add, that I feel now justified not only in confirming the observations which I made in my letter from Dublin with respect to the loose manner in which the business of this bank was conducted, but in stating that the system followed throughout, in the Cuff-street savings bank, was one giving the greatest possible facility to fraud and irregularity.

By the enclosed statement marked (L), p. 92, I am justified in considering all the expenses incurred since 20th November 1830 as having been taken out of the capital, or funds belonging to the depositors, and the amount of these expenses must therefore be considered as added yearly to the deficiency.

The income of a savings bank arises from the difference between the amount of interest allowed by the National Debt Office to the trustees of such savings bank and that credited by them to the depositors, and the Surplus is what remains of such income after all expenses have been paid. The statement enclosed shows that the total sum allowed for interest by the National Debt Office to the trustees of the Cuff-street Savings Bank from 20th November 1830 to May 1848, when it finally closed, was 96,539 £ 4 s. 1 d., and that the amount credited to the depositors for interest in the same period was 98,444 £ 4 s. 1 d. The total amount of interest credited to the depositors exceeded that received from the National Debt Office by 1,905 £; consequently, taking the whole period in the aggregate, the Cuff-street Savings Bank had no income, and of course no surplus; on the contrary, the above sum of 1,905 £ must be considered as having so far added to the amount of the deficiency.

I have likewise brought together and carefully checked one with another, item by item, the accounts between the Bank of Ireland as treasurers and the savings bank, the accounts between the National Debt Office and the savings bank, and the abstracts made from the day books of money received from, and from the repayment books of money paid to the depositors, for the whole period from 20th November 1830 to May 1848; feeling sure, at the commencement of my inquiry, that by a comparison of all these together the truth would be elicited; and the result has fully answered my expectations. I have drawn out a statement for each year, showing the amount added every year to the deficiency of 1830, which appears to have been as follows; viz.—

Reference to Statements.	Page.	Year ending 20th November	Considered as Repayments.	Payments other than for Expenses, and being abstracted, as detailed in each Statement	Total added to Deficiency.
			£. s. d.	£. s. d.	£. s. d.
1	10	1832	754 3 0	7,530 18 9	8,285 2 3
2	11	1833	549 10 5	1,155 8 4	1,704 18 9
3	11	1834	535 18 1	320 3 7	855 1 8
4	12	1834	445 - -	1,150 - -	1,595 - -
5	12	1835	503 10 7	2,000 - -	2,503 10 7
6	14	1836	450 16 -	3,450 - -	3,900 16 -
7	15	1837	400 17 0	2,035 8 7	2,435 8 7
8	15	1838	392 13 7	715 10 4	1,108 3 11
9	15	1839	371 17 7	1,910 - -	2,281 17 7
10	16	1840	516 1 6	1,485 10 -	2,001 11 6
11	16	1841	574 13 10	1,081 15 9	2,555 9 7
12	17	1842	708 9 2	2,500 - -	3,208 9 2
13	18	1843	551 11 8	3,468 19 5	4,020 11 1
14	18	1844	484 13 10	3,375 15 10	3,860 7 8
15	20	1845	320 - 5	1,519 15 0	1,839 15 11
16	21	1846	1,285 18 7	- - -	1,285 18 7
17	21	1847	562 9 11	730 1 8	1,292 11 7
18	21	(Close in May) 1848	949 13 2	3,127 18 0	3,377 11 10
		£.	9,718 17 4	37,074 6 5	47,993 3 9

I beg

I beg to call your particular attention to the extraordinary manner in which it appears to have been managed to withdraw several of the large sums mentioned in these statements, as leading to grave suspicion, and calling for rigid inquiry.

I am satisfied that there are no accounts or papers here from which any further information respecting these sums can be obtained; but I presume that Mr. Hughes, senr., who was the appointed agent of the trustees, must, from his position, be able to give some account of the matter.

I find, further, that besides the accounts remaining open in the depositors' ledgers (including those in the old ledgers, returned as claims "appearing open, but doubtful," and amounting, in November 1831, to 47,242 l. 12 s. 8 d., the whole of which claim was ultimately admitted to be due,) there were many accounts which appeared to be closed in the ledgers, the sums due upon such accounts to the depositors having been fraudulently withdrawn by the late registrar before he absconded in February 1831, and the entries of payments also fraudulently made by him in the ledgers. Some of these accounts were the subjects of Mr. Tidd Pratt's awards; but others, similarly circumstanced, were admitted and paid by the committee of the savings bank themselves. These last were entitled as the repayment books amongst the ordinary withdrawals, but distinguished by a memorandum signifying that they were paid under special orders of the Board. Payments of this kind must of course go to the increase of the deficiency. I have ascertained that, under this head, the following sums were during the whole period taken from the assets in the manner I have described; viz.

	£.	s.	d.
As having been fraudulently withdrawn before 20th November 1830	7,198	5	9
To make good errors - - - - -	103	12	-
A payment in name of Hughes - - - - -	100	-	-
Total (see Statement No. 19, pages 107, 108) - £.	7,401	17	9
As having been fraudulently withdrawn between 20th November 1830 and the day on which the late registrar absconded in February 1831, (see Statement No. 20, page 108) - - - - - £.	1,681	16	10
The result on the whole is, that the savings bank credited, in shape of interest to the depositors, more than they secured from the National Debt Office (see page 93) - - - - -	1,595	-	-
That during the whole period they added to the deficiency, as detailed in Statements Nos. 1 to 18 (pages 94 to 106) - - - - -	47,693	3	9
And ditto - ditto - as detailed in Statement No. 19 (page 107) - - - - -	7,401	17	9
And ditto - ditto - as detailed in Statement No. 20 (page 108) - - - - -	1,681	16	10
Total - - - £.	68,581	18	4
The difference between this sum and - - - - -	68,196	16	8
the deficiency accumulated since 1830, as before mentioned, being only - - - - - £.	1,619	18	4

I have not thought it necessary to prosecute the inquiry further, without your special instructions. This amount may be partly the balance of money errors during the 17 years, partly double payments to depositors, and possibly some other special payments omitted to be distinguished in the repayment books from the ordinary withdrawals; or, again, it may be in part owing to causes which on minute investigation might go to the decrease of the sum appearing due to the depositors when the savings bank stopped. To examine minutely into all these matters would occupy a great length of time, and involve more expense than it might be deemed advisable to incur without special orders; and I would here mention that, on this account, I have not thought it expedient to have any examination made of the entries in the depositors' ledgers with those in the day books and the repayment books, or to examine the transfers in or from the ledgers; such an examination would have occupied several clerks for many months.

The claim of each individual depositor would of course have to be minutely examined, not only with the ledgers, but with the other books of account, before any payments were made.

I beg to send the following documents, found amongst the papers brought from Dublin:—

No. 1*. Is the Report from Mr. Byrne, Public Accountant, dated 2d April 1831, already referred to.

Appendix, No. 1.

No. 2*. A Copy of a Profit and Loss Account, dated 25th May 1830, on which possibly the hopes of future surplus were founded.

No. 3*. A Paper signed by several Trustees and Managers, stating their willingness to incur a personal responsibility to the extent of 5,000 £. in the whole, for the purpose of enabling the Trustees to pay all Claimants 20 s. in the pound, whose demands may be awarded to be paid by John Tidd Pratt, esq., in case the funds of the institution shall be insufficient; with a note appended, as follows:—

“Dublin, 26 April 1831.

“From the investigation I have made, and from the experience I have had in matters connected with savings banks, it is my opinion, that if the rules and management of the institution are remodelled, and the bank carried on under a new and revised system, the responsibility of the gentlemen signing this will be merely nominal.

(signed) “John Tidd Pratt.”

No. 4*. A printed Copy of the Rules of St. Peter's Parish Savings Bank, as amended in May 1831. By the 38th rule (of which a manuscript copy is also sent) it is declared that the then trustees and managers shall, from and after the said rules shall be filed, stand dissolved and removed.

No. 5*. A rough Draft of a Minute, dated 6th June 1831, referring to the rules having been filed, and

No. 6*. A List of new Trustees and Managers.

No. 7*. A Case submitted to Mr. Pratt respecting the postponed Claims, and his Answer, dated 23rd September 1831.

No. 8*. Papers showing that the Trustees, notwithstanding this Opinion of Mr. Tidd Pratt, did pay Claims postponed, when no Surplus had been ascertained.

No. 9*. A Letter from Mr. Lennigan and others, dated 14th May 1830, pressing the Managers to ascertain from the Depositors' Pass Books “how much they owed.”

No. 10*. Another Letter from Mr. Lennigan, dated 5th February 1831, to the same effect.

No. 11*. Rough Memoranda, which appear to relate to the transactions of the last day of Repayments, referred to in the Questions before the Committee, 1849. Nos. 547 to 550, and 1055 to 1175.

No. 12*. A printed Copy of the Notice without Date, referred to in my Report from Dublin, and which I took down from the Wall of the Passage in the Savings Bank through which the Depositors had to pass.

In conclusion, I beg only to state, that the object which I had in view in recommending that the books and accounts should be brought to London has been fully effected. I have here, by your indulgence in complying with my wishes, been enabled to avail myself of the services of assistants experienced in the routine of savings banks, without whose aid it would have been impossible for me to have earned, to such a result, an investigation of so much intricacy.

The Right Hon. Sir Charles Wood, Bart.
 Chancellor of the Exchequer,
 &c. &c. &c.

I have, &c.
 (signed) David Martin.

(A.)

1830.		£.	s.	d.
Balances due to depositors with November 1830, according to the ledgers - - - - -		187,729	11	10
<i>Assets:</i>		£.	s.	d.
Amount invested with Commissioners for the Redemption of the National Debt - - - - -	171,530	1	10	
Separate surplus fund - - - - -	3,127	7	4	
Estimated value of Government stock in names of Dr. Orpen and others - - - - -	3,100	-	-	
Balance in hands of Bank of Ireland, as treasurers - - - - -	5,483	12	3	
		183,241	1	5
Apparent Deficiency on 30th November 1830 - - - £.		4,488	10	5

(E. E.)

(signed) David Martin.

(B.)

1831.

	£.	s.	d.
Balances due to Depositors, 30th November 1831, according to the Ledgers, as per my Report from Dublin of 16th June 1849 -	115,484	16	1
Assets:	£.	s.	d.
Amount invested with the Commissioners for the Reduction of the National Debt - - - -	95,807	10	11
Separate Surplus Fund - - - -	1,688	11	5
In hands of Bank of Ireland as Trustees - - -			
	97,496	2	4
Apparent Deficiency on 30th November 1831 - - - £.	17,988	13	9
Explanation:			
Difference as stated in my Report of 16th June - - - -	19,518	13	5
But in that Report, to the sum of 95,807 10 11 invested, was added only - - - 58 11 6 in Treasurer's hands, from printed papers, and - - - - 3 fractions.			
	£. 95,866	2	8
whereas 1,688 11 5 was in hand, instead of 58 11 9			
Difference 1,629 19 8 to deduct - - - - -	1,629	19	8
Corrected Amount of Deficiency apparent as above - - - £.	17,988	13	9

(E. E.)

(signed) David Martin.

(C.)

1833.

	£.	s.	d.
Balances due to Depositors, 30th November 1833, according to the Ledgers - - - - -	133,530	4	-
Assets:	£.	s.	d.
Invested with the Commissioners for the Reduction of the National Debt - - - - -	127,543	16	6
In hands of Bank of Ireland, as Treasurers - - -	434	17	1
In transit,* being received as per Day Books from Depositors, 1,862 l. 13 s. 9 d.			
Entered in Treasurer's Account on 22d, 24 - - -	1,865	17	9
And - - - - -	869	15	6
received as per ditto - - - - -	130,704	6	9
Apparent Deficiency on 30th November 1833 - - - £.	22,825	17	3

* It is to be understood that the expression "in transit," throughout these statements means money received from Depositors, or drawn for from National Debt Office, but not brought to account until after 30th November.

(E. E.)

(signed) David Martin.

(D.)

1838.

	£.	s.	d.
Balances due to Depositors, 20th November 1838, according to the Ledgers - - - - -	221,795	11	10
Assets:			
Invested with the Commissioners for the Reduction of the National Debt - - - - -	181,744	17	4
In hands of Bank of Ireland, as Treasurers - - - - -	18	3	10
In transit, being received by Savings Bank, but not brought to account by the Bank of Ireland until after the 20th - - - - -	4,821	8	7
£. 2,751 15 - from National Debt Office.			
238 6 2, part of 1,038 £ 6 s. 2 d. received 14th November.			
1,781 7 5			
66 - - } 1,537 £ 7 s. 5 d. ditto, 19th.			
50 - - }			
£. 4,821 8 7			
Apparent Deficiency on 20th November 1838 - - £.	35,211	2	1

(E. E.)

(signed) David Martin.

(E.)

1845.

	£.	s.	d.
Balances due to Depositors, 20th November 1845, according to the Ledgers - - - - -	263,212	9	10
Assets:			
Invested with the Commissioners for the Reduction of the National Debt - - - - -	180,814	11	1
Balance in hands of Bank of Ireland, as Treasurers, including sums in transit - - - - -	25,698	2	5
	206,512	13	6
Apparent Deficiency on 20th November 1845 - - £.	56,415	16	4

(E. E.)

(signed) David Martin.

(F.)

1846.

	£.	s.	d.
Balances due to Depositors on 20th November 1846, according to the Ledgers - - - - -	106,758	13	11
Assets:			
Invested with the Commissioners for the Reduction of the National Debt - - - - -	46,283	19	0
In Bank of Ireland - - - - -	27	11	10
Also in transit, £. 1,118 6 3 from National Debt Office - - - - -			
987 8 9 received from Depositors on 18th - - - - -	2,105	15	-
	48,417	6	-
Apparent Deficiency on 20th November 1846 - - £.	58,341	7	11

(E. E.)

(signed) David Martin.

(G.)

1847.

	£.	s.	d.
Balances due to Depositors, 20th November 1847, according to the Ledgers - - - - -	83,389	12	1
So called forfeited accounts about this time taken out of General Ledgers and inserted in Forfeited Ledger - - - - -	4,438	11	3
Assets:			
Invested with Commissioners for the Reduction of the National Debt - - - - -	33,287	-	11
In hands of Bank of Ireland as Treasurers, and in transitu - - - - -	3,581	16	-
	36,868	16	11
Apparent Deficiency on 20th November 1847 - - - - -	60,830	6	5

(R. E.)

(signed) David Martin.

(H.)

Close in 1848.

	£.	s.	d.
Balances due to Depositors at the final closing of the Bank in 1848, according to the Ledgers - - - - -	60,488	2	5
And accounts called forfeited accounts - - - - -	4,286	1	1
Assets:			
Now in the hands of the Commissioners for the Reduction of the National Debt - - - - -	90	6	8
In Treasurer's hands - - - - -	-	9	9
	90	16	5
Apparent Deficiency at the final closing of the Bank for Savings in 1848 - - - - -	64,683	7	1

(R. E.)

(signed) David Martin.

For Classification of the Depositors see Statement annexed.

CLASSIFICATION of Depositors, to whom the Sum of £.60,488. 2s. 5d., mentioned in the foregoing Statement, appears to be due.

	NUMBER OF ACCOUNTS.	AMOUNT.
		£. s. d.
Not exceeding 1 <i>l</i> . - - - - -	333	138 1 9
Exceeding 1 <i>l</i> , and not exceeding 10 <i>l</i> . - - - - -	797	3,827 9 1
- 10 <i>l</i> , and - 20 <i>l</i> . - - - - -	393	5,451 6 9
- 20 <i>l</i> , and - 50 <i>l</i> . - - - - -	590	15,709 13 7
- 50 <i>l</i> , and - 100 <i>l</i> . - - - - -	516	14,743 13 10
- 100 <i>l</i> , and - 150 <i>l</i> . - - - - -	93	11,061 6 -
- 150 <i>l</i> , and - 200 <i>l</i> . - - - - -	44	7,084 14 10
Exceeding - - - 200 <i>l</i> . - - - - -	9	1,041 10 7
TOTAL - - - - -	9,375	60,488 2 5

(signed) David Martin.

(1.)

INTEREST ACCOUNT from 1st November 1890.

Interest Paid and Credited by National Debt Office.	Amount each Year.	Interest Interim and Annual, Credited to Depositors.	Amount each Year.
1891:	£. s. d.	1891:	£. s. d.
31 May - - - - -	895 4 6	Interest both May and both November 1891, as extracted from ledgers -	2,899 11 5
31 November - - - -	1,382 4 7	Intermediate interest credited to depositors giving notice in full -	579 16 4
Intermediate interest paid on drafts drawn within the year - - - -	1,044 11 1		
	4,322 - 2		3,870 7 10
1892:		1892:	
31 May - - - - -	1,024 11 3	Intermediate interest -	497 15 5
31 November - - - -	1,773 5 7	November, interest as extracted from the ledgers -	3,394 18 6
Intermediate - - - -	3,327 16 10		3,758 13 11
	3,088 11 3		
1893:		1893:	
31 May - - - - -	1,746 7 9	Intermediate interest -	514 4 5
31 November - - - -	1,029 1 7	November, interest as made out from the balance book - - - -	3,093 14 10
Intermediate - - - -	3,738 8 9		4,417 19 3
	805 4 6		
1894:		1894:	
31 May - - - - -	2,024 15 3	Intermediate interest -	612 6 5
31 November - - - -	2,219 14 4	November, interest as extracted from the ledgers -	4,329 13 11
Intermediate - - - -	4,244 9 6		4,942 - 4
	872 3 7		
1895:		1895:	
31 May - - - - -	2,091 2 11	Intermediate - - - -	613 5 5
31 November - - - -	2,417 7 7	November, interest as extracted from the ledgers -	4,728 3 3
Intermediate - - - -	4,508 10 6		5,346 8 8
	872 5 6		
1896:		1896:	
31 May - - - - -	2,438 4 2	Intermediate - - - -	670 5 10
31 November - - - -	2,490 19 -	November, interest as extracted from the ledgers -	5,208 5 9
Intermediate - - - -	4,929 3 2		5,778 11 7
	588 7 6		
1897:		1897:	
31 May - - - - -	2,961 - 6	Intermediate - - - -	663 9 6
31 November - - - -	2,030 9 1	November, interest as made out from the balance book -	5,199 - 1
Intermediate - - - -	3,001 9 7		5,862 9 7
	848 10 11		
1898:		1898:	
31 May - - - - -	2,623 14 1	Intermediate - - - -	643 4 7
31 November - - - -	2,603 14 -	November, interest as made out from the balance book, and credited -	5,801 9 3
Intermediate - - - -	5,227 8 1		6,444 13 10
	944 14 7		
Savings Bank account 890 £. 0 s. 7 d.			
1899:		1899:	
31 May - - - - -	2,611 4 3	Intermediate - - - -	780 14 7
31 November - - - -	2,079 17 1	November, interest as made out from the balance book -	6,115 2 8
Intermediate - - - -	5,690 1 4		6,895 17 3
	1,106 - 8		

SELECT COMMITTEE ON SAVINGS BANKS.

93

Interest Paid and Credited by National Debt Office.				Amount each Year.		Interest Intermediate and Annual, Credited to Depositors.				Amount each Year.		
1840:				£.	s. d.	1840:				£.	s. d.	
31 May	-	-	-	9,845	7 5	Intermediate	-	-	-	757	1 2	
31 November	-	-	-	2,837	2 7	November, interest as made out from balance book	-	-	-	6,089	7 -	
Intermediate	-	-	-	5,720	10 -							
Savings Bank account, 1,055 l. 19 s. 11 1/2 d.				1,056	18 3							
						6,846	8 1			6,846	8 1	
1841:				£.	s. d.	1841:				£.	s. d.	
31 May	-	-	-	3,809	10 4	Intermediate	-	-	-	682	17 3	
31 November	-	-	-	3,009	6 3	November, interest as made out from balance book	-	-	-	6,382	11 13	
Intermediate	-	-	-	5,318	16 7							
Savings Bank account, 1,094 l. 16 s. 8 d.				1,094	9 0							
						6,921	5 9			7,005	9 9	
1842:				£.	s. d.	1842:				£.	s. d.	
31 May	-	-	-	3,909	4 7	Intermediate	-	-	-	730	4 8	
31 November	-	-	-	3,132	4 3	November, interest as made out from balance book	-	-	-	6,283	9 2	
Intermediate	-	-	-	6,041	8 9							
Savings Bank account, 1,130 l. 17 s. 0 d.				1,132	2 -							
						7,164	10 9			7,323	6 4	
1843:				£.	s. d.	1843:				£.	s. d.	
31 May	-	-	-	3,326	12 1	Intermediate	-	-	-	794	14 -	
31 November	-	-	-	3,066	9 6	November, interest as made out from balance book	-	-	-	7,244	2 3	
Intermediate	-	-	-	6,729	19 7							
1844:				1,280	11 8							
						7,873	11 3			8,005	10 3	
1844:				£.	s. d.	1844:				£.	s. d.	
31 May	-	-	-	3,821	14 10	Intermediate	-	-	-	826	7 4	
31 November	-	-	-	3,003	7 6	November, interest as extracted from the ledgers	-	-	-	7,786	7 5	
Intermediate	-	-	-	7,758	2 4							
1845:				907	14 -							
						8,665	16 4			8,608	14 9	
1845:				£.	s. d.	1845:				£.	s. d.	
31 May	-	-	-	3,971	8 11	Intermediate	-	-	-	1,507	5 6	
31 November	-	-	-	3,202	6 8	November, interest as made out from balance book, and extracted	-	-	-	6,319	16 5	
Intermediate	-	-	-	6,773	15 8							
1846:				1,451	1 8							
						7,754	16 10			7,830	1 11	
1846:				£.	s. d.	1846:				£.	s. d.	
31 May	-	-	-	3,07	15 7	Intermediate	-	-	-	351	1 9	
31 November	-	-	-	475	19 6	November, interest as extracted from the ledgers	-	-	-	9,009	4 9	
Intermediate	-	-	-	713	8 1							
Savings Bank account, 747 l. 4 s. 7 d.				664	14 9							
						1,378	8 10			9,360	6 6	
1847:				£.	s. d.	1847:				£.	s. d.	
31 May	-	-	-	484	7 10	Intermediate	-	-	-	398	10 -	
31 November	-	-	-	358	12 11	November, interest as made out from balance book, and extracted	-	-	-	1,509	3 6	
Intermediate	-	-	-	893	1 9							
Savings Bank account, 487 l. 8 s. 8 d.				537	13 9							
						1,360	15 6			1,607	13 6	
1848:				£.	s. d.	1848:				£.	s. d.	
Intermediate to 8th May	-	-	-	434	10 4	Intermediate	-	-	-	-	-	
						434	10 4			335	5 8	
Checked at National Debt Office, 22 November 1849.—Sam. C. Warren.						96,839	4 1					
Overplus credited to depositors more than received from National Debt Office						1,095	- -					
						£.	98,444	4 1			£.	98,444 4 1

(L. R.)

(signed) David Martin

STATEMENT, No. 1.

Year ended 30 November 1831.

	£	s.	d.
The expenses for the year, the items set down as paid in the treasurer's accounts, not to depositors or National Debt Office, being added together, appear to have been	-	-	-
Balance of gain and loss: gain on transactions found on comparing the sums stated in the day books, &c., to have been received from depositors, &c., with those carried to account by the treasurer, deduct	914	14	10
	160	11	4
	754	3	6
Drawn from treasurers more than what appears to have been paid to the depositors (see Statement annexed), of which a large portion was probably to pay Mr. Todd Pratt's awards*	7,530	18	9
Adding, this year, to the deficiency	£	8,285	2 3

Received by Savings Bank from the Bank of Ireland, as per their Account as Treasurers.			Paid by Savings Bank to Depositors, as per Re-payment Books.		
	Number of Cheques.	Amount.			
1831:		£. s. d.		£.	s. d.
February 28 -	870	10,026 - -		9,834	14 10
March 7 - -	873	10,400 - -		16,747	5 9
— 14 - - -	874	7,390 - -		5,368	1 10
— 21 - - -	875	14,400 - -		5,491	9 -
— 28 - - -	886	11,300 - -		16,768	5 6
April 4 - -	881	10,200 - -		11,318	10 10
— 11 - - -	884	6,700 - -		398	17 9
— 18 - - -	887	6,500 - -		8,055	17 8
— 25 - - -	889	3,000 - -		6,313	11 10
May 2 - - -	891	3,206 13 7		5,764	9 6
— 9 - - -	896	3,173 3 1		2,948	- -
— 10 - - -	898	4,500 - -		3,155	19 3
— 16 - - -	902	2,437 9 6		3,209	3 1
— 17 - - -	903	2,581 18 3		2,898	6 10
Paid back:				206	11 1
£. s. d.		104,625 4 5		17 15 11	
250 - - -					
1,110 10 -					
1,000 - - -		3,265 5 -			
900 - - -					
4 15 - -		101,269 19 5			
		96,729 - 8 - -			
Difference - - - £.		7,530 18 9		93,729	- 8

* The amount of Mr. Todd Pratt's awards, dated 5th May 1831, to be paid immediately, was	£.	s.	d.
And out of future surplus	7,528	1	11
According to the book of awards in my possession.	4,276	-	7
TOTAL - - - £.	11,874	2	6

(B. E.)

(signed) David Martin.

STATEMENT, No. 2.
Year ended 20 November 1832.

	£.	s.	d.
The expenses for the year appear to have been - - - -	589	8	0
Balance of gain and loss on transactions, as in former year—gain deduct - - - -	39	18	1
	549	10	5
Drawn from treasurers, 12 July 1832 - - - - 500 - -			
10 August 1832 - - - - 655 8 4			
over and above sums entered in repayment books, as paid to depositors, probably in part payment of awards "out of future surplus." See minutes 5th June 1832 (extract annexed).	1,155	8	4
Adding this year to the deficiency - - - - - £.	1,704	18	9
(E. E.)			
(signed)	David Martin.		

EXTRACT of Minutes, 5th June 1832, Rev. S. W. Fox in the Chair.

THE committee having taken into consideration the expediency of coming to some adjustment with the holders of Mr. Pratt's awards, which state "that the parties have no legal claim on the trustees, but recommend the amount to be paid out of future surplus."

Resolved, That inasmuch as it appears by a return of the book-keeper, that there is a sum of about 1,000 £. at the disposal of the trustees and managers, forfeited pursuant to the rules and regulations of this bank, being the amount of deposits not increased or diminished for the space of seven years, and as such liable to be considered as part of the surplus fund of this institution, this committee feel themselves at liberty, and hereby accordingly allocate the sum of 1,000 £. towards the payment of a proportion of the sums awarded by Mr. Pratt as not legal claims on the trustees, but recommended by him to be paid out of future surplus, amounting in the whole to 4,276 £., and also a sum of upwards of 800 £. similarly circumstanced; and resolved, also, inasmuch as it appears that a further sum of 1,000 £., being the amount of the security of the late registrar and cashier, William Bruce Dixon, and now bearing interest, is secured to the funds of this institution, and which last sum of 1,000 £. is applicable to the surplus fund of this institution, this committee feel themselves at liberty, and do hereby accordingly allocate such last-mentioned sum to the payment of a further proportion of the said sum so circumstanced as in the foregoing resolution.

Resolved, That it be an instruction to the registrar to carry the above resolutions into effect, at the rate of 5 £. in the pound to each, from and after the 1st of July next, under the control and direction of the superintending committee.

STATEMENT, No. 3.
Year ended 20 November 1833.

	£.	s.	d.
The expenses for the year appear to have been - - - -	516	8	1
Balance of gain and loss on transactions less add - - - -	9	10	-
	525	18	1
On 17th July 1833 they received from depositors - 1,054 15 1			
And paid to treasurers on 24th of that month only - 718 11 6			
The residue - - - -	335	3	7
being supposed to have been paid for special claims "on future surplus" referred to in the minute 19 July 1833 (copy annexed).			
Adding this year to the deficiency - - - - - £.	860	1	8
(E. E.)			
(signed)	David Martin.		

(Copy.)

19 July 1833.

Resolved, That a special meeting be requested to meet at an early day for the purpose of considering the propriety of paying a further portion of the claims on future surplus fund.

(Mr. Wright in the Chair.)

Appendix, No. 1.

STATEMENT, No. 4.

Year ended 20 November 1834.

	£.	s.	d.
The expenses for the year appear to have been - - - -	444	6	3
Balance of gain and loss on transactions—loss add - - - -	-	13	9
	445	-	-
 The amount received from the depositors on the 30th April 1834, as per day books was - - - -	1,251	4	9
for which sum the manager, T. Hill, certifies that receipts were produced from the treasurers, and the minute of 9th May (R. Lennigan in the chair) states the same.			
The amount paid on 7th May to the savings bank, by the National Debt Office, as per their account, was	2,288	18	1
	£. 3,540	2	10
 These two sums should of course have appeared in the treasurer's account as received on account of the savings bank, the entries however are as follows -	701	4	8
	1,738	18	1
	550	-	-
Not corresponding with the sums paid by the National Debt Office and the depositors, and falling short of the whole sum actually received from both by an amount precisely equal to that of the last entry, viz. 550 <i>l.</i>			
It is to be observed also that this same sum of 550 <i>l.</i> is precisely the difference between the amount received from the depositors as above, 1,251 <i>l.</i> 4 <i>s.</i> 9 <i>d.</i> , and that paid in to the treasurers on the 7th May 1834, viz. 701 <i>l.</i> 4 <i>s.</i> 9 <i>d.</i> ; and is also precisely the difference between the sum of 2,288 <i>l.</i> 18 <i>s.</i> 1 <i>d.</i> , entered in the National Debt Office account as paid to the savings bank, and 1,738 <i>l.</i> 18 <i>s.</i> 1 <i>d.</i> paid in to the treasurers on the 7th May; and there is every appearance of these entries having been thus made in order to afford a means of concealing the deficiency of the sum, which must have been applied to some purpose or another not appearing in the accounts. The sum of the last entry, 550 <i>l.</i> , if added to either of the other sums entered, would make the amount received from the depositors, or that received from the National Debt Office, all right, but as it of course cannot be added to both, there remains a clear deficiency on the whole of - - - -			550 - -
This deficiency cannot be explained by reference to any other entries, for all the other sums entered as received in the treasurer's account of this period, have been marked off with the corresponding amounts in the National Debt Office accounts and the day books.			
In like manner—			
The amount received from the depositors on 28th May 1834, as per day book, was - - - -	796	5	9
for which sum the manager, John L. Wharton, certifies that a receipt was produced, and the minute of 6th June (Mr. Wharton in the chair) states the same.			
The amount paid on 3d June to the savings bank by the National Debt Office, as per their account, was	2,202	19	7
	£. 2,999	5	4
 But the entries in the treasurer's accounts are - - -	196	5	9
	1,802	19	7
	600	-	-
	£. 2,399	5	4
 The same observations as are made above apply to these entries likewise, and so here is a like deficiency of - - -			600 - -
Adding this year to the deficiency - - - -			1,595 - -
(E. E.)			
(signed)			David Martin.

STATEMENT, No. 2.

Year ended 29 November 1835.

	£.	s.	d.	£.	s.	d.
The expenses for the year appear to have been - - -	509	14	1			
Balance of gain or loss on transactions - - -	2	10	6			
				503	10	7
The treasurers paid, 21 February 1835, on cheque No. 364, which was no doubt to pay a dividend, as per minute 8 February 1835, on claims payable out of future surplus - - -				500	-	-
Ditto, ditto, 26 March 1835, on cheque No. 371, which it is presumed was on the like account - - -				500	-	-
(See extract of minutes herewith.)						
Ditto, ditto, 30 May 1835, on cheque No. 385, to be imprested to registrar to meet some difficulty respecting silver, and to make advances to depositors, per minute 29 May 1835 - - -				300	-	-
(See extract of minutes herewith.)						
The amount received from depositors on the 26th January 1835, as per day book was - - -	1,159	7	-			
For which sum the manager, T. Hill, certifies that a receipt was produced, and the minute of 6 February 1835, Rev. S. W. Fox in the chair, states the same.						
The amount paid on 3 February to the savings bank by the National Debt Office, as per their account, was - - -	3,928	7	1			
	£, 4,081	14	1			
These two sums should of course have appeared in the treasurers' accounts as received on account of the savings bank, instead of which the entries are - - -	3,322	7	1			
	500	-	-			
	559	7	-			
	£, 3,481	14	1			
The same observations apply to these entries as are made in the last statement with respect to the two sums of 500 <i>l</i> and 600 <i>l</i> thereon referred to; so here is a like deficiency of - - -				600	-	-
The amount received from depositors on the 4th March 1835, as per day book, was - - -	910	9	-			
For which sum the manager, T. Hill, certifies that a receipt was produced, and the minute of 13 March, Mr. Wm. Walsh in the chair, states the same.						
The amount paid on 10 March to the savings bank by the National Debt Office, as per their account, was - - -	1,371	-	1			
	2,789	9	1			
But the entries in the treasurers' accounts are - - -	518	9	-			
	1,471	-	1			
	460	-	-			
	£, 2,309	9	1			
And so here is a like deficiency of - - -				460	-	-
So the amount received from depositors 22 April 1835 - - -	745	3	11			
For which sum the manager, Wm. Walsh, certifies that receipts were produced, and the minute, 8 May, Mr. Walsh present, states the same.						
Amount received from National Debt Office 28 April 1835 - - -	2,134	11	3			
	£, 2,879	15	2			
But the entries in the treasurers' accounts are - - -	1,834	11	3			
	300	-	-			
	443	3	11			
	£, 2,570	15	2			
And so here is a like deficiency of - - -				300	-	-
Adding this year to the deficiency - - -				3,108	10	7
(R. E.)						

(signed) David Martin.

Appendix, No. 1.

EXTRACT of Minutes, 6 February 1835, referred to in Statement No. 4. The Rev. S. W. Fox in the chair.

Referring to the minutes of the 26th June 1833, on the subject of granting a payment in part of the claims recommended by Mr. Pratt to be paid out of the future surplus fund of the bank, and the reasons therein assigned for issuing 4s. in the pound—

Resolved, That in consequence of the prosperous state of the bank, the capital stock on the 20th November last having been 141,783*l.* 6*s.*, and upwards of two years having elapsed since the payment above mentioned, the superintending committee are now of opinion, that it is not only equitable, but that it would be highly advantageous to the institution (by inducing an increased confidence on the part of the public therein), that a second payment of 4*s.* in the pound be now issued to the claimants in question.

Ordered accordingly. Payment to commence the 21st instant.

EXTRACT of Minutes, 29 May 1835, referred to in Statement No. 5.

Referring to the minutes of last meeting—

Resolved, That in order to meet the arrangement of furnishing monthly returns to the National Debt Office, therein alluded to, a sum of 300*l.* appears indispensably requisite to be issued to the registrar to meet the difficulty of disposing of the extent of silver and copper on hand weekly, and to make occasional advances to depositors, pursuant to the 24th rule of the regulations.

STATEMENT, No. 6.

Year ended 29 November 1836.

	£.	s.	d.	£.	s.	d.
The expenses for the year appear to have been	-	-	445 16 11			
Balance of gain and loss on transactions—add loss	-	-	4 10 1	450 16	-	-
Drawn from treasurers, as under:						
1836, May 14, by cheque, No. 440	-	-	600 - -			
" June 9, " No. 453	-	-	600 - -			
" — 17, " No. 455	-	-	500 - -			
" — 24, " No. 457	-	-	400 - -			
" — 30, " No. 459	-	-	500 - -			
" July 15, " No. 462	-	-	500 - -			
" — 16, " No. 463	-	-	350 - -			
				3,450	-	-
I find no account of the disbursement of these sums, but it may be presumed that a portion of them, and of other subsequent sums, may have been to pay awards "out of future surplus." See minute, 6th June 1836 (extract annexed).						
Adding this year to the deficiency	-	-	-	£.	3,000 16	-

(E. R.)

(signed) David Martin.

EXTRACT of Minutes, 6 June 1836, Samuel Beale, Esq., in the Chair.

The committee having met pursuant to special summons and minute of 20th ultimo, to take into consideration the expediency of making a further payment in part or in full of the balances payable under Mr. Pratt's awards of May 1831, to be paid out of the future surplus fund—

Resolved, That having given the subject our anxious consideration, it appears to us that the discharge of the said balances (many of them payable to very necessitous individuals) would be not only equitable, but also productive of considerable advantage to the institution, by inducing an increased confidence on the part of the public, and observing that the forfeited claims upon the bank to the 20th of November last amounted to 3,007 *l.* 15*s.* 6*d.*, we feel the more strengthened in our opinion.

Resolved, therefore, That the balances payable under Mr. Pratt's awards be paid accordingly, to commence on Friday next, and to be paid progressively.

STATEMENT, No. 7.

Year ended 20 November 1837.

	£.	s.	d.	£.	s.	d.
The expenses for the year appear to have been - - -	408	1	1			
Balance of gain and loss on transactions—deduct gain - - -	1	3	7			
				406	17	6
Drawn from treasurers, as under:						
1836, December 14, by cheque, No. 28 - - -	450	-	-			
1837, June 29, " No. 29 - - -	703	5	7			
" September 7, " No. 31 £. 977 10 - - -						
Of which say for expenses, included above 77 10 - - -						
	900	-	-			
Unaccounted for - - - - -				2,953	8	7
A portion, however, of these sums may have been in further payment of the awards "out of future surplus fund."						
Adding this year to the deficiency - - - - -				2,462	6	1
(E. E.)						
(signed)	David Martin,					

STATEMENT, No. 8.

Year ended 20 November 1838.

	£.	s.	d.	£.	s.	d.
The expenses for the year appear to have been - - -	373	19	1			
Balance of gain and loss on transactions—add loss - - -	18	14	5			
				392	13	7
Drawn from treasurers:						
1838, February 9, by cheque, No. 92, unaccounted for - - -				715	10	4
A portion of which may have been, it is presumed, to pay, as on previous occasions, sums payable "out of future surplus," on awards by Mr. Pratt.						
Adding this year to the deficiency - - - - -				1,100	3	11
(E. E.)						
(signed)	David Martin,					

STATEMENT, No. 9.

Year ended 20 November 1839.

	£.	s.	d.	£.	s.	d.
The expenses for the year appear to have been - - -	305	6	9			
Balance of gain and loss on transactions—add loss - - -	6	10	10			
				371	17	7
On the 19th June 1839 the savings bank drew on the Bank of Ireland, treasurers, by cheque, No. 174, for - - -	2,010	4	8			
But they paid the depositors, as per repayment book of that day, only - - - - -	1,680	4	8			
Mr. Walsh and others acting as managers.						
Consequently they received and did not account for - - - - -				1,210	-	-
And on 10th July 1839, they drew by their cheque, No. 177, for - - - - -	2,068	18	-			
And paid the depositors only - - - - -	1,368	18	-			
Mr. Walsh and another acting as managers.						
Consequently they received and did not account for - - - - -				700	-	-
Making a total wholly unaccounted for in this year of 1,910 l.						
The abstraction of the large sums referred to in this and the following statements from the funds of the bank for purposes other than the ordinary withdrawals of the depositors, is the more unaccountable, seeing that it is stated in the report of the superintending committee of 27th February 1839, of which an extract is subjoined, that there were no unsatisfied claims upon the institution then transacting.						
Adding this year to the deficiency - - - - -				2,281	17	7
(E. E.)						
(signed)	David Martin,					

Appendix, No. 1.

EXTRACT from Report of the Superintending Committee of 27 February 1832, referred to in Minutes of 28th of that month.

The committee think it right to apprise the trustees and managers that there does not remain at present any unsatisfied claims upon the institution, whether from depositors or other persons who had lodged their money, or otherwise, during the periods previously to the year 1831.

STATEMENT, No. 10.

Year ended 20 November 1840.

	£.	s.	d.	
The expenses for the year appear to have been	-	-	-	467 4 4
Balance of gain and loss on transactions—add loss	-	-	-	47 17 2
				515 1 6
On the 11th December 1839 the savings bank drew a cheque on the treasurer, No. 194, for	-	-	-	2,409 7 8
But they paid the depositors, as per repayment book, only	-	-	-	2,409 7 8
Mr. Walsh and others acting as managers.				
Leaving unaccounted for	-	-	-	500 - -
On 6th April 1840 they drew by cheque, No. 23, for	-	-	-	2,417 6 8
But they paid the depositors on that day only	-	-	-	1,717 6 8
Mr. Walsh and others acting as managers.				
Leaving unaccounted for	-	-	-	700 - -
On 16th June 1840 they received from the depositors, as per day book	-	-	-	1,423 7 5
But paid in to treasurer only	-	-	-	£. 200 - -
and	-	-	-	505 17 5
				1,196 17 5
Deficient	-	-	-	*226 10 -
Adding this year to the deficiency	-	-	-	2,091 11 6

* This is exactly the amount of one portion of the receipts from depositors, per "slip book," but it does not appear to have been paid in to the treasurer, although at the foot of the day book, 15 June 1840, it is stated in a memorandum, signed D. O., that receipts were produced for the whole sum.

(E. E.)

(signed) David Martin.

STATEMENT, No. 11.

Year ended 20 November 1841.

	£.	s.	d.	£.	s.	d.
The expenses for the year appear to have been	-	-	572 15 6			
Balance of gain and loss on transactions—add loss	-	-	1 10 4			
						574 13 10
On 10th January 1841 the savings bank drew a cheque on the treasurer, No. 71, for	-	-	-	2,286 10 1		
But they on that day paid the depositors, as per repayment book, only	-	-	-	1,436 10 1		
Repayments with the initials of a manager, Mr. Smith Fox.						
Leaving unaccounted for	-	-	-	850 - -		
On 10th February ditto, No. 75	-	-	-	2,480 19 -		
But paid depositors only	-	-	-	2,080 19 1		
Managers present, Mr. Smith Fox and others.						
Leaving unaccounted for	-	-	-	399 19 11		
On 10th March ditto, No. 6	-	-	-	2,221 13 7		
But paid depositors only	-	-	-	1,821 13 7		
Managers present, Mr. Smith Fox and another.						
Leaving unaccounted for	-	-	-	400 - -		
Carried forward	-	-	-	1,599 19 11		

	£.	s.	d.	£.	s.	d.
Brought forward	-	-	-	1,590	10	11
On 24th May ditto, No. 14	-	-	-	2,122	10	-
But paid depositors only	-	-	-	1,822	10	-
Managers present, Mr. Smith Fox and another.	-	-	-			
Leaving unaccounted for	-	-	-	300	-	-
On 26th May ditto, No. 18	-	-	-	1,841	17	9
But paid depositors only	-	-	-	1,641	17	9
Managers present, Mr. Smith Fox and others.	-	-	-			
Leaving unaccounted for	-	-	-	300	-	-
But they paid in to treasurers, on what account does not appear, the following sums:				2,109	10	11
On 26th April	237	7	6	deduct	260	4
1st May	20	16	9			
4th May	20	-	-			
Add expenses as on last page	-	-	-	1,931	15	9
				674	13	10
Adding this year to the deficiency	-	-	£.	2,506	9	7

(E. E.)

(signed) David Martin.

STATEMENT, No. 12.

Year ended 20 November 1842.

	£.	s.	d.	£.	s.	d.
The expenses for the year appear to have been	750	6	1	762	9	2
Balance of gain and loss on transactions—add loss	32	1	1			
On 9th March 1842 the savings bank drew a cheque on the treasurer, No. 67, for	3,324	9	3	3,324	9	3
But they paid the depositors on that day, as per repayment book, only	3,324	9	3			
Managers present, Mr. Smith Fox and another.	-	-	-			
Leaving unaccounted for	-	-	-	600	-	-
On 30th March ditto, No. 70	2,303	11	2	2,303	11	2
But paid depositors only	1,703	11	2			
Managers present, Mr. Smith Fox and others.	-	-	-			
Leaving unaccounted for	-	-	-	600	-	-
On 31st August ditto, No. 96	2,308	11	8	2,308	11	8
But paid depositors only	1,800	11	6			
Managers present, Mr. Smith Fox and another.	-	-	-			
Leaving unaccounted for	-	-	-	700	-	-
And on 19th October ditto, No. 105	1,675	6	10	1,675	6	10
But paid depositors only	1,175	6	10			
Managers present, Mr. Smith Fox and another.	-	-	-			
Leaving unaccounted for	-	-	-	600	-	-
Adding this year to the deficiency	-	-	£.	3,208	9	2

(E. E.)

(signed) David Martin.

Appendix, No. 1.

STATEMENT, No. 13.

Year ended 20 November 1843.

	£.	s.	d.
The expenses for the year appear to have been - - - - -	351	11	8
Balance of gain and loss on transactions:—			
Apparent loss on sums received from depositors on various days, and paid in to treasurers:	£.	s.	d.
Less paid in than received - - - - -	2,093	12	1
More paid in than received - - - - -	1,294	12	8
Balance less paid in to treasurers than received from depositors - - - - -			798 19 5
On 20 December 1842 the savings bank drew a cheque on the treasurers, No. 126, for - - - - -	2,405	2	7
But they paid the depositors, as per repayment book of that day, only - - - - -	1,685	2	7
Managers present, Mr. Smith Fox and another.			
Leaving unaccounted for - - - - -			800 - -
On 19th April 1843, the savings bank drew a cheque on the treasurers, No. 140, for - - - - -	2,020	12	4
But paid depositors only - - - - -	1,120	12	4
Managers present, Mr. Smith Fox and others.			
Leaving unaccounted for - - - - -			900 - -
Adding this year to the deficiency - - - - - £.	3,050	13	1

N. B.—It was during this year, 1843, that the new cash office was built, and front house rebuilt.

See also next year for balance of receipts and payments.

(E. E.)

(signed)

David Martin.

STATEMENT, No. 14.

Year ended 20 November 1844.

	£.	s.	d.
The expenses for the year appear to have been - - - - -	434	11	10
Balance of gain and loss on transactions, viz.:			
Apparent loss on sums received from the depositors on various days and paid in to treasurers (including a sum of 253 <i>l.</i> 1 <i>s.</i> 2 <i>d.</i> "mistakes paid per cash-book, deducted from day-book, by order of committee") - - - - -	354	19	2
Apparent gain, ditto - - - - -	178	14	11
Balance, less add - - - - -			177 4 3
During the latter part of 1843 and early part of 1844, the savings bank made no use of the treasurers as bankers; the balance remaining in hand at the close of 1843, appears by the statement annexed to have been - - - - -	7,792	4	6
And up to 27 March 1844, as per ditto - - - - -	8,366	7	1
Total - - - - - £.	13,096	11	7
The following sums, however, appear to have been paid in to treasurers, and to have been invested with the Commissioners for the Reduction of the National Debt, viz.:			
1844:	£.	s.	d.
6 January - - - - -	2,000	-	-
25 " - - - - -	2,000	-	-
26 " - - - - -	1,000	-	-
3 February - - - - -	2,000	-	-
19* " - - - - -	2,000	-	-
12 March - - - - -	1,000	-	-
	10,000	-	-
Leaving unaccounted for - - - - -			3,096 11 7
This adding to the deficiency - - - - - £.	3,793	7	8

* The remaining 200 *l.* on this day was out of treasurers' balance.

(E. E.)

(signed)

David Martin.

Appendix, No. 1.

STATEMENT, No. 15.

Year ended 20 November 1845.

The expenses for the year ended 20 November 1845 appear to have been	£.	s.	d.
Balance of gain and loss on transactions—add loss	337	10	—
	14	10	5
	£.	352	— 5
By day book they appear to have received of the depositors as under :			
1845 :	£.	s.	d.
5 November	1,003	6	11
12 —	765	1	6
17 —	555	—	2
19 —	406	3	6
	3,670	12	1
Paid in to treasurers on 18th November only	690	14	—
Leaving unaccounted for	2,979	18	1
Against which is carried; paid in 20 December 1845	£.	s.	d.
	795	11	—
And balance of sums received and paid, as per annexed Statement	98	11	7
	893	2	7
Thus leaving unaccounted for	1,519	15	6
Adding this year to the deficiency	£.	1,871	16 11

(H. E.)

(signed) David Martin.

In the beginning of 1846 the following sums appear in the Day Book as received of depositors, which do not appear in the Treasurers' accounts :

£.	s.	d.	Brought forward	£.	s.	d.
368	4	6	—	2,549	—	6
796	13	3		42	—	—
174	6	10		376	13	11
222	3	—		374	14	0
110	4	2				
196	10	6		1,064	19	—
491	14	11		611	3	1
239	15	6		969	13	4
Carried forward	2,549	— 6		£.	6,207	3 0

And by the Treasurers' Account, the following sums appear to have been drawn by the Savings Bank ; viz. :

1846 :	£.	s.	d.	£.	s.	d.
26 November	30,000	—	—	184,000	—	—
"	30,000	—	—	6,207	3	0
29 —	5,000	—	—			
3 December	25,000	—	—			
"	10,000	—	—			
10 —	30,000	—	—			
17 —	30,000	—	—			
18 —	4,000	—	—			
23 —	18,000	—	—			
31 —	16,000	—	—			
1845 :						
7 January	7,600	—	—			
Sums drawn from Treasurers, as above	—	—	—			
Sums received from depositors, as above	—	—	—			
TOTAL received from depositors and by cheques (Carried forward)	£.	101,207	3 0			

Deduct

				£.	s.	d.	Appendix, No. 1.
Brought forward - - -				191,207	0	6	
Deduct sums paid to depositors, as per repay-	£.	s.	d.				
ment books - - -	54,420	5	1				
Ditto - - - ditto - - -	30,712	12	3				
Ditto - - - ditto - - -	30,662	10	11				
Ditto - - - ditto - - -	24,188	10	6				
Ditto - - - ditto - - -	19,043	-	0				
Ditto - - - ditto - - -	13,662	15	3				
Ditto - - - ditto - - -	7,604	10	6				
Total				106,196	-	6	
Balance - - - - -				9,011	0	6	
But they paid in to treasurers,							
31 December 1845 - - - -	2,000	-	-				
6 January 1846 - - - -	2,110	-	-				
16 - - - - -	1,000	-	-				
				5,110	-	-	
Overplus paid in - - - -				96	11	7	
Considered as part of the balance 1846.							

STATEMENT, No. 16.

Year ended 20 November 1846.

				£.	s.	d.
The expenses for the year appear to have been - - - -				1,204	12	11
Balance of gain and loss on transactions—add loss - - - -				3	2	8
				1,207	15	7
Deduct paid in 6th April - - - -				1	17	-
Adding this year to the deficiency - £.				1,206	18	7
(E. E.)						
				(signed)	David Martin.	

STATEMENT, No. 17.

Year ended 20 November 1847.

				£.	s.	d.
The expenses for the year appear to have been - - - -				542	12	11
Balance of gain and loss on transactions—add loss - - - -				10	17	-
				552	9	11
The sum received from depositors on 17 July 1847 was,						
according to the day book - - - -	£. 1,151	3	-			
No such sum appears in the treasurers' account, but they						
give credit for the following sums as received; viz.						
1847:	£.	s.	d.			
29 July - - - -	249	1	4			
30 September - - - -	172	-	-			
				421	1	4
Leaving unaccounted for - - - -				730	1	6
Adding this year to the deficiency - £.				1,202	11	7
(E. E.)						
				(signed)	David Martin.	

STATEMENT, No. 18.

Period ending May 1848.

				£.	s.	d.
The expenses appear to have been - - - -				225	-	-
Difference between cheques drawn on treasurers on						
3d and 9th May 1848; viz. - - - -	1,709	4	4			
Ditto - - - ditto - - - ditto - - -	4,324	10	10			
Ditto - - - ditto - - - ditto - - -	1,097	10	-			
Brought forward - - - £.				7,201	11	2
				225	-	-

Appendix, No. 1.

	£.	s.	d.	£.	s.	d.
Brought forward	-	-	-	7,931	11	2
And paid to depositors	-	-	-	£. 7,785	8	4
And	-	-	-	121	16	11
				7,907	5	3
Unaccounted for, to be added to expenses	-	-	-			
Loss on transactions—to add	-	-	-	-	-	-
Balance remaining unaccounted for, as per annexed Statement	-	-	-	£.		
Thus adding to the deficiency	-	-	-	£.		

(E. E.)

(signed) David Martin.

In day book: Received of depositors on 20 December 1847	-	-	-	£.	s.	d.
Which at the foot in day book is said to have been paid to the treasurers in three sums; viz.				402	19	6
	£.	s.	d.			
195	-	-	-			
172	-	-	-			
And	35	19	6			
	£. 402	19	6			
Whereas only the first sum, 195 £., and the last, 35 £. 19s. 6d., are brought to account by the treasurers, amounting to	-	-	-			
				230	19	6
Amount unaccounted for	-	-	-	£.		
				172	-	-

In the day book the following sums appear as received of depositors:

1848:					£.	s.	d.
12 February	-	-	-	-	324	1	5
14	-	-	-	-	532	13	-
16	-	-	-	-			
19	-	-	-	-	711	15	-
27 March	-	-	-	-	219	15	7
29	-	-	-	-	273	15	9
3 April	-	-	-	-	165	4	11
5	-	-	-	-			
8	-	-	-	-	424	18	3
10	-	-	-	-			
15	-	-	-	-	102	10	-
16	-	-	-	-	407	2	4
17	-	-	-	-	97	14	-
19	-	-	-	-	164	6	6
26	-	-	-	-	286	10	5
Redeemed or not paid, 3 May	-	-	-	-	761	6	4
					£.		
					4,497	-	11

Against which the following sums are brought to the credit of the savings bank by treasurers; viz.

1848:					£.	s.	d.
10 March	-	-	-	-	790	-	-
31	-	-	-	-	26	7	8
1 April	-	-	-	-	51	4	10
20	-	-	-	-	653	16	8
26	-	-	-	-	79	14	1
					1,511	2	3
Difference not brought to account	-	-	-	-	2,955	18	8
Do - - brought down	-	-	-	-	172	-	-
TOTAL	-	-	-	-	£.		
					3,127	10	8

STATEMENT, No. 19.

ABSTRACT of Sums paid under the Special Orders of the Board, from 20 November 1839 to the closing of the Savings Bank in 1840, in Reimbursement of Amounts fraudulently withdrawn before the 20th November 1839. Taken from Repayment Books, and compared with Mr. Mayne's Reports, and the Ledgers, &c.

No. of Account.	Amount.	No. of Account.	Amount.	No. of Account.	Amount.
£. s. d.		£. s. d.		£. s. d.	
3,674	30 - -	508	37 17 3	6,900	2 18 0
7,614	6 - -	2,471	145 15 2	1,885	5 13 7
6,376	40 - -	4,420	2 5 6	779	2 2 0
1,895	77 10 10	9,403	10 - -	1,618	- 11 7
4,604	3 - 10	3,460	10 - -	6,755	3 5 3
3,592	233 1 11	7,541	96 3 4	3,187	1 9 4
2,234	64 17 5	7,994	16 - -	922	16 - -
6,672	59 15 1	6,067	56 18 3	4,274	31 3 4
5,767	10 - -	1,792	39 12 3	1,722	1 1 5
3,829	6 7 4	7,883	46 1 2	7,171	35 2 7
5,767	34 6 6	7,834	47 16 4	7,172	26 16 4
4,420	173 12 11	944	- - 7	7,173	21 19 6
3,264	40 12 1	5,097	53 1 16	7,174	21 19 6
3,265	40 12 1	7,736	40 1 -	5,794	1 3 3
2,769	12 - 7	431	46 3 1	922	40 - -
4,390	30 - -	432	46 3 1	5,865	- 17 3
8,440	74 10 9	5,293	116 16 6	6,641	6 16 6
6,439	36 5 8	3,016	60 15 8	2,762	4 7 3
340	30 - -	3,617	45 - 8	2,769	- 10 -
341	30 - -	8,670	174 6 3	3,490	1 10 3
342	1 3 4	3,670	14 17 6	2,576	1 15 10
341	1 3 4	3,969	19 17 6	2,577	1 15 9
2,272	16 - 8	2,324	104 9 7	2,197	2 3 4
6,684	11 11 3	712	76 - -	6,410	- 16 7
6,686	33 14 -	4,652	55 18 7	9,030	1 7 6
7,631	46 18 3	4,656	55 18 7	2,468	144 5 1
7,630	46 13 3	4,657	7 2 3	2,633	163 6 7
6,467	61 3 7	3,380	20 - -	2,634	160 2 4
2,660	74 11 7	8,603	17 7 0	6,730	136 17 2
4,056	25 7 6	5,331	59 - 9	3,628	52 7 6
6,980	116 4 7	6,622	9 6 4	4,862	21 4 8
6,291	9 12 6	8,621	2 11 11	4,863	31 15 8
5,660	122 6 2	8,619	9 11 11	4,390	- 13 9
7,925	77 10 5	8,620	9 11 11	65	- 6 8
3,710	19 16 3	7,811	34 8 7	1,840	4 10 2
6,980	37 7 9	1,331-41	4 11 11	5,067	1 6 9
5,731	66 1 1	6,502	3 - -	6,497-50	- 9 2
7,207	43 7 4	7,736	3 4 -	6,379	- 9 10
6,039	100 - 5	3,254	2 4 8	417j	- 10 -
5,510	51 12 0	3,255	2 4 6	6,713	149 7 3
6,290	44 2 -	7,171	11 - -	4,750	114 7 3
689	87 19 2	3,614	2 - -	4,513	19 17 10
1,341	55 14 9	7,493	3 17 -	3,291	65 17 1
8,756	40 - -	4,603	8 19 1	923	77 18 9
2,577	89 17 3	2,925	141 1 4	6,672	4 11 7
2,576	79 10 9	8,654	- 15 -	5,396	44 14 9
1,840	9 13 1	922	20 19 10	2,698	117 14 3
3,641	68 14 7	5,328	2 - 10	1,529	49 6 3
3,036	15 - -	2,736	- 16 8	2,707	17 18 1
2,176	2 - -	7,142	1 16 3	6,592	2 - -
3,790	165 8 6	3,016	2 9 4	3,928	1 3 -
3,791	85 16 6	3,017	1 2 11	1,795	6 - -
3,746	1 6 10	3,320	36 16 -	5,948	8 9 7
2,324	14 - -	3,329	40 6 8	5,947	8 9 7
7,603	13 - -	6,149	35 16 1	2,234	2 8 1
3,644	3 - -	9,627	6 13 4	804	31 1 5
454	19 4 10	6,989	2 13 -	6,866	- 19 8

(continued)

Appendix, No. 1.

No. of Account.	Amount.	No. of Account.	Amount.	No. of Account.	Amount.
£. s. d.		£. s. d.		£. s. d.	
8,636	50 - -	107	21 12 4	8,364	30 - -
1,795	16 6 3	460	21 11 10	6,562	2 17 7
590	- 15 7	9,455	72 7 4	4,774	16 19 1
6,950	3 15 5	3,532	2 5 3	3,130	156 15 -
3,514	59 10 1	1,130	2 19 4	6,364	49 10 1
7 4 7	1 5 6	3,264	2 - -	70	51 9 -
3,041	7 12 3	6,673	5 15 1	1,567	24 11 10
M. 63	4 2 1	767	- 0 5	183	3 6 6
780	12 2 5	6,767	1 8 2	184	3 0 6
318	- 15 6	3,104	51 15 1	3,708	2 9 11
5,606	22 14 6	904	40 - -	103	- 3 7
6,606	32 6 11	651	21 12 11	532	30 - -
8,631	25 2 1	6,462	1 - -	801	1 19 -
					7,124 15 0
		Added from Mr. Mayne's report	- - 7,405½		73 7 1
		Ditto - - - ditto	- - - 8,430		- 3 -
		Previously paid in 1839	- - - 4,028		25 2 -
		Ditto - ditto - 1833	- - - 4,350		78 10 -
		In name of Hughes	- - - - -		100 - -
				TOTAL - - - £.	7,401 17 9

(E. E.)

(signed) David Martin.

STATEMENT, No. 20.

ABSTRACT of SUMS paid under the Special Orders of the Board, from 20 November 1830 to the closing of the Savings Bank in 1848, in Reimbursement of Amounts fraudulently withdrawn between 20 November 1830 and the day on which the late Registrar absconded in February 1831. Taken from Repayment Books, and compared with Mr. Mayne's Reports, and the Ledgers, &c.

No. of Account.	Amount.	No. of Account.	Amount.	No. of Account.	Amount.
£. s. d.		£. s. d.		£. s. d.	
9,813	54 7 10	M. 21	- 8 4	7,253	8 2 -
5,097	2 - -	3,255½	158 14 1	7,254	3 2 -
1,225	31 4 5	460	165 11 11	7,253	15 - -
101	48 5 11	349	56 18 4	7,254	15 - -
7,068	30 - -	5,331	60 - -	7,253	15 - -
6,287	49 16 9	5,831	47 19 11	7,254	15 - -
802	102 - 10	8,364	30 - -	7,254	15 - -
3,041	36 5 5	6,932	5 4 -	7,253	22 10 8
4,808	39 - -	4,792	- 10 -	7,254	7 10 -
6,550	57 11 1	6,799	40 14 1	4,435	40 - -
5,555	67 11 1	6,799	48 19 -	4,435	57 10 10
0,164	118 8 2	6,364	18 12 1	4,436	61 1 2
7,140	68 - 4	9,966	59 3 11		
5,097	61 16 8	7,253	15 17 11	TOTAL - - £.	1,981 16 10
5,933	154 2 7	7,254	15 17 11		

(E. E.)

(signed) David Martin.

REPORT from Mr. Byrne, Public Accountant, dated 2 April 1831.

To the Board of Trustees and Managers of the St. Peter's Parish Savings Bank.

Gentlemen,

I HAVE examined the bank books, also the several pass books which have been presented for payment up to the present period, and beg leave to submit the following as the result of such investigation.

I find that the bank opened on the 23d February 1818, under the superintendence of a president, vice-president, and a committee of management.

That William Bruce Dunne acted as registrar, cashier, and book-keeper to the institution for about years gratuitously; that the business so increased he was then employed at a salary; that he continued in such capacities up to the year 1820, when from the multiplicity of business it became necessary to employ a book-keeper, from which period Dunne acted as registrar and cashier up to the 16th of January 1831, when he was discontinued, and ceased to be any longer an officer of the bank.

It is with regret I am obliged to report to your honourable Board, that at an early period this person began to abuse the trusts confided in him, and has committed frauds on the bank to a very considerable amount. So early as the year 1821 I find him fraudulently abstracting from the bank sums of money standing to the credit of depositors, and discharging the accounts in the bank books, but leaving the balances in the pass books to the credit of the depositor open and undischarged; this system of fraud was continued up to the time he ceased acting as an officer in the bank. Another species of fraud to which he had recourse was the receiving of money from depositors who had accounts in the bank, and entering it in the pass-book in the usual way, but converting the money to his own use, and never lodging it to the credit of the depositor in the bank. A third system of fraud to which he resorted, was the receiving of money from new depositors who had not had accounts in the bank before, giving them new pass books with the money entered in them under fictitious numbers, which money he never lodged in the bank, but converted to his own use. The contrivance and adroitness with which he effected these frauds were so ingenious as almost to defy detection.

I find that by those stratagems your late cashier has (so far as I have as yet been able to discover) fraudulently possessed himself of the public money to the amount of 11,436*l.*, which the depositors have called upon the bank to discharge; and from the best estimate I can form, the probable amount of frauds in the pass books yet outstanding and not come in for payment, may amount to about 5,000*l.* more; making the aggregate amount of embezzlement about 16,400*l.* The only fund your honourable Board has to meet this demand is the nominal surplus or savings, which, by an account rendered to the Commissioners of the Sinking Fund up to November 1825, amounted to 3,127*l.*; to this may be added the subsequent savings, which I estimate since November 1825 at 1,200*l.*, also 1,000*l.* the amount to which your late cashier's surcharge was liable, making a gross fund of 5,327*l.* applicable to the discharge of said sum of 16,400*l.*, leaving a deficit, say, of about 11,000*l.* To meet this deficit it is indispensably necessary that a fund should be forthwith raised, otherwise it will be impossible to preserve the bank from ruin, a result that would be attended with the most disastrous consequences to a great number of the industrious classes of this city, and have the effect of shaking confidence in institutions of this kind.

A short review of the progress of this institution will be sufficient to prove the substantial benefits establishments of this kind have conferred on a numerous body of the working classes of society; and on the other hand, it shows the fatal consequences that would inevitably result to that class if such institutions were suffered to fall into decay. This bank is now 13 years at work, and has succeeded to such an extent that for the last seven years you have had not less than 120,000*l.*, and lately 160,000*l.* to your credit with the Commissioners of the Sinking Fund; the greater part of this large amount belongs to tradesmen and servants who, were it not for such institutions as this, would in all probability (and there is scarcely a doubt of it) have squandered their surplus earnings in useless expense.

Your honourable Board has, in keeping open the bank, acted, in my mind, the most wise and prudent course that could be adopted under all the circumstances and difficulties in which it has been unfortunately involved. Had it been closed, the panic would be so great that every institution of the kind in Ireland would have been affected by it.

By the powerful exertions of your honourable Board, you have removed alarm and restored confidence in the public mind, so much so that the lodgements for the last fortnight has averaged 1,400*l.* a week. I have no doubt, under your superintendence, with a little alteration in the mode of conducting the detail of the business, but that this institution would very soon attain (if not exceed) its late flourishing state of prosperity.

The public lodged their money in this institution on the faith of Government; and permit me most respectfully to suggest for the consideration of your honourable Board the propriety of submitting a statement of the affairs of the institution to the Commissioners of the Sinking Fund. I have no doubt but it will be favorably received; humanity and public policy combine in favor of upholding those institutions. An advance from Government of about

Appendix, No. 1. 11,000*l.* would be sufficient to meet the present exigency, and thereby preserve the institution from ruin; without it the establishment cannot go on; the advance could be made on the faith of the surplus or savings of the bank: the savings on a floating balance of 175,000*l.* would be about 600*l.* a year, over and above all expenses. Were it not for the late occurrences, you would have had a much larger sum to your credit; and it is more than probable, from the returning confidence in the public mind, that you will (if the bank shall be continued) in a short time have that sum, if not more, at your credit again; at present, the floating balance with the Commissioners of the Sinking Fund exceeds 60,000*l.*

So soon as the investigation of the remainder of the pass books shall be finished, I will turn my attention to the perpetuation of an improved system for conducting the details of the business, such as I trust will render the recurrence of what has lately happened a matter not easily to be accomplished, if not altogether impossible; for the present, I shall only recommend that part of the former system by which depositors giving notice to draw money left their pass books in the bank a week previous to getting the money, be discontinued, and that instead of keeping the book, the sum required be entered in the pass book and repayment book, and the pass book returned with the usual card. The late cashier effected a great deal of the injury done by the facilities afforded in making duplicate pass books from those so long left in his possession.

(signed) James Byrne,
Public Accountant.

2 April 1831.

Summary of the Frauds committed by the late Cashier on the St. Peter's Parish Savings Bank, so far as same have been discovered.

	£.	s.	d.
Amount of balances standing to the credit of depositors in the bank books fraudulently withdrawn - - - - -	4,506	10	6
Amount of sums received from depositors who had accounts in the bank, which he never lodged to their credit - - - - -	3,929	7	11
Amount of sums received from new depositors, to lodge to their credit, which he kept, and never opened any account for them - - - - -	8,090	0	5
	11,436	4	10
Estimated frauds on outstanding pass books not yet come in for examination, say - - - - -	5,000	-	-
TOTAL - - - - -	10,436	4	10

Funds applicable to the discharge of so much of the above Sum.

	£.	s.	d.
20 Nov. 1828: Amount surplus or nominal savings, per account rendered to the Commissioners - - - - -	3,127	-	-
Amount estimated surplus or savings since November 1828, say - - - - -	1,200	-	-
Amount of Dunne's salaries - - - - -	1,000	-	-
	5,327	-	-
DEFICIT - - - - -	11,109	4	10

THIRD CLASS.

Being an Abstract Account of Sums of Money received by William Bruce Dunne, late Registrar and Cashier (so far as same has been ascertained), from the several under-mentioned Persons to lodge to their Credit in the Bank; which Sums he converted to his own use, and never opened any Account for them in the Bank Books, but gave them Pass Books issued by himself, acknowledging the Receipt of the Money, and which the Bank is now called upon to repay.

Number of Pass Book.	NAMES.					No Account opened for these Persons.	Orders for Payment, with Interest.
						£. s. d.	£. s. d.
7614	John F. Warren	-	-	-	-	8 17 3	
5,642	Eliza Wilson	-	-	-	-	26 17 5	
198	Daniel Seagrave	-	-	-	-	30 - -	
8,511	Alexander Grey	-	-	-	-	30 - -	
8,512	Eleanor Donnell	-	There are 5 accounts			30 - -	
8,513	Robert Donnell	-	in the 1 book.			30 - -	
8,514	Anne Gregg	-	-	-	-	30 - -	
8,515	Francis Wright	-	-	-	-	30 - -	

SELECT COMMITTEE ON SAVINGS BANKS.

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Appendix, No. 1.

Number of Pass Book.	NAMES.	No. Accounts opened for these Persons.	Order for Payments, with Interest.
		£. s. d.	£. s. d.
6,695	John Muldoon - - - - -	50 6 6	
6,929	Thomas Booth - - - - -	50 10 9	
6,702	William Goss - - - - -	50 - - -	
6,996	John Gore - - - - -	50 6 2	
7,425	Stephen Cowan - - - - -	50 1 9½	
6,996	Mary Elizabeth Hall - - - - -	30 - - -	
6,517	Beresford Burton - - - - -	10 - - -	
6,999	Robert Lodge - - - - -	50 3 4	
6,659	Eliza Gashara - - - - -	38 - - -	
4,967	Mary Lindsay - - - - -	5 - - -	
6,547	Susanna Lindsey - - - - -	50 - - -	
7,541	Eleanor Lucy - - - - -	20 3 4	20 3 4
660	Monica Scully - - - - -	18 - - -	10 - - -
6,697	Patrick Muldoon - - - - -	39 - - -	
6,029	H. J. Gray - - - - -	30 8 4	
6,629	M. J. Gray - - - - -	30 8 4	
6,630	Charles F. Gray - - - - -	30 8 4	
4,696	John McGinness - - - - -	32 11 6	
4,696	George McGinness - - - - -	53 11 6	
6,552	Jane McGinness - - - - -	18 12 3½	
7,132	John Gibson, jun. - - - - -	131 - 5	
2,739	Samuel Gibson - - - - -	60 3 4	
4,759	Charlotte Harrison - - - - -	106 10 7½	
6,772	Mary Hughes - - - - -	24 1 6	
3,762	Mary Collins - - - - -	30 18 1	
B 14	Alexander Daly - - - - -	13 12 -	
16	Jane Daly - - - - -	53 18 6	
16	George A. Daly - - - - -	53 18 6	
17	Anne Daly - - - - -	38 12 6	
18	Margaret Daly - - - - -	53 18 6	
19	Catherine Daly - - - - -	53 18 6	
4,913	John Sherlock - - - - -	30 16 8	
4,914	Thomas Sherlock - - - - -	90 10 10	
6,763	Cecilia Flanagan - - - - -	30 - - -	
6,938	Jane McGuire - - - - -	45 - 6	
6,006	Hugh Warren - - - - -	106 - - -	
3,250	John Fitzsimons - - - - -	190 - - -	
7,737	John Fitzsimons, jun. - - - - -	61 14 5½	
7,742	Henrietta Fitzsimons - - - - -	19 6 4	
7,736	Margaret Fitzsimons - - - - -	63 13 1½	
7,738	Elizabeth Gilbert - - - - -	57 13 4½	
7,740	Mary Anne Livingston - - - - -	57 13 5	
7,741	Martha Earls - - - - -	57 13 5	
6,340	John Fitzsimons, jun. - - - - -	72 11 5	
6,760	Margaret Fitzsimons - - - - -	58 11 5	
997	John Hale - - - - -	60 - - -	
3,924	Howard Moore - - - - -	30 - - -	
6,472	William Moore - - - - -	73 15 10	
6,716	James Doyle - - - - -	20 - - -	
6,924	Margaret Saunders - - - - -	50 - - -	
3,620	Lacy Warburton - - - - -	51 2 3	
3,621	Anne Keane - - - - -	51 2 3	
6,473	Anne Sloane - - - - -	39 3 9	
2,462	Ellis Magill - - - - -	100 - - -	
6,964	Eather Herron - - - - -	25 - - -	
6,965	Mary Herron - - - - -	25 - - -	
7,785	Mary Bagleton - - - - -	42 9 6	
3,030	Winifred Teresa Dowdall - - - - -	30 12 9	
3,990	Jane Keating - - - - -	53 11 6	
	£.	3,020 6 5	39 3 4

2 April 1881.

0-49.

6 4

James Byrne, Public Accountant.

No. 2*.

COPY OF PROFIT AND LOSS ACCOUNT to 20 November 1826.

<i>Dr</i>		PROFIT AND LOSS.	
			£. s. d.
1824 - -	To amount of interest paid depositors this year - -		387 16 -
	To amount of interest due and brought to credit of depositors this year - - - - -		4,158 - -
	To rent, salaries, &c. this year - - - - -		226 5 5
	To balance, being surplus or profit this year - - -		1,355 4 1
		£.	6,107 5 6
1826:			
20 November	To interest paid depositors this year - - -		402 - 6
	To interest due to and brought to credit of depositors this year - - - - -		3,670 15 4
	To rent, salaries, &c. this year - - - - -		109 - 5
	To balance, being surplus or profit this year - - -		1,049 12 9
		£.	5,632 0 -
1827:			
20 November	To interest paid depositors this year - - -		362 13 2
	To interest due to and brought to credit of depositors this year - - - - -		4,469 6 7
	To rent, salaries, &c. this year - - - - -		101 13 4
	To balance, being surplus this year - - - - -		809 14 11
		£.	5,893 8 -
1828:			
20 November	To interest paid depositors this year - - -		785 9 -
	To interest due to and brought to credit of depositors this year - - - - -		4,469 6 7
	To rent, salaries, &c. this year - - - - -		109 15 11
	To balance, being surplus or profit this year - - -		1,301 2 11
		£.	7,683 15 -

		CONTRA.		<i>Cr.</i>	
			Irish.		British.
			£. s. d.		£. s. d.
1824:					
30 November	By amount of accumulated profits to this date - - - - -	£.	1,145 13 8		1,657 11 -
1825:					
20 November	By amount of interest received on funds sold this year - - - - -		465 5 9		
	By amount of interest received this year on funds invested - - - - -		5,641 19 9		
		£.	6,107 5 6		
	By surplus or profits this year - - -		1,355 4 1		1,292 9 9
	Carried forward - - -	£.			2,290 - 9

CONTRA—continued.		Cr.	
		Irish.	British.
		£. s. d.	£. s. d.
1826:	Brought forward - - -	- - -	2,230 - 9
20 November	By interest received on funds sold this year	751 17 4	
	By interest received on funds invested - - -	4,770 11 0	
	£.	5,522 9 -	
1827:	By surplus or profits this year - - -	- - -	1,040 13 9
20 November	By interest received on funds sold this year	304 2 -	
	By interest received on funds invested this year - - -	3,090 10 -	
	£.	3,395 0 -	
1828:	By surplus or profits this year - - -	- - -	890 14 11
20 November	By interest received on funds sold this year	964 10 10	
	By interest received on funds invested this year - - -	6,729 1 2	
	£.	7,693 13 -	
	By surplus or profits this year - - -	- - -	1,301 2 11
	Amount of Surplus or Profits of the Bank } 20th November 1828 - - -	£.	5,541 11 4

Account Office, 2, Swift's Row,
25 May 1830.

James Byrne.

No. 3*.

NOTICE.

THAT the Trustees and Managers of this bank be requested to enter into a consent that Mr. Tidd Pratt, barrister-at-law, be empowered by them to award what sum of money each Trustee or Manager should be bound to contribute, so as to indemnify or pay off such depositors whose cases Mr. Pratt may determine as deserving of being paid, notwithstanding any defect in their claims arising from the acts of the late registrar, W. Bruce Dunn.

16 April 1831.

F. H.

ST. PETER'S PARISH SAVINGS BANK, 20 April 1831.

We, the undersigned Trustees and Managers of this Institution, are willing to incur personal responsibility to the extent of 5,000*l.*, in the proportions set opposite to our respective names, for the purpose of enabling the Trustees to pay all claimants on this bank 20*l.* in the pound, whose demands may be awarded to be paid by John Tidd Pratt, Esq., in case the funds of the institution shall be insufficient.

(signed)	John Torrens.	Jos. Farras.
	Thos. Henry Torrens.	Saml W. Fox.
	Walter Jones.	Rt. Lavigan.
	Lundy Edm. Foot.	Geo. Tutball.
	Chas. Herbert Orpen.	W. Taylor, jun.
	John Stokes.	Richard Barlow.
	Henry Browne-egg.	W. N. Manly.
	Richard Ardill.	Richard Wright.
	John Mayne.	D. Osborne.

From the investigation I have made, and from the experience I have had in matters connected with savings banks, it is my opinion that if the rules and management of the institution are remodelled, and the bank carried on under a new and revised system, the responsibility of the gentlemen signing this will be merely nominal.

Dublin, 26 April 1831.

(signed) John Tidd Pratt.

Copy of the Rules of St. Peter's Savings Bank, as Amended in May 1831.

ST. PETER'S PARISH SAVINGS BANK.

Established at 95, Cuffe-Street, in the City of Dublin, on 16th February 1818.

OBJECT OF THE INSTITUTION.

THIS savings bank was formed, and is now carried on, "for the safe custody and increase of small savings belonging to the industrious classes of his Majesty's subjects," also of the funds of friendly societies legally established, and of charitable institutions and societies; to invest the money deposited in Government securities, and to manage the same for the benefit of the depositors.

Lists of the trustees and managers are to be seen and had at the office of the bank, where the days and hours for transacting business are also publicly notified.

RULES AND REGULATIONS.

THE following are the rules and regulations, as amended in May 1831, and which have been duly certified and enrolled, in conformity to the provisions of 9 Geo. 4, c. 92, intitled, "An Act to consolidate and amend the Laws relating to Savings Banks:—"

1. That the rules of this savings bank heretofore made and lodged with the town clerks of the city of Dublin, pursuant to 9 Geo. 4, c. 92, shall be repealed from and after the following rules shall have been lodged with the town clerks aforesaid.

2. *Management.*—This bank shall be conducted under the management of a president and vice-presidents, 12 trustees, and such number of other managers as the trustees and managers may from time to time appoint, none of whom are permitted to derive any benefit, directly or indirectly, from the deposits received, or the produce thereof, beyond their actual expenses for the purposes of the institution. The business of the bank is to be superintended by one or more of the managers when deposits are received or repayments made.

3. *Annual Meeting.*—A general meeting of the president, vice-presidents, trustees, and managers is to be held annually, in the month of February, giving a week's notice, to receive from the superintending committee a report of the transactions of the bank, and of the state of accounts up to and for the 30th November preceding; to elect a president (if a vacancy has occurred), additional vice-presidents, trustees, and managers, or to remove, if necessary, any of those already appointed; to appoint for the ensuing year auditors and a superintending committee, which latter shall consist of not less than 11 managers, three of whom to be trustees and three to be a quorum.

4. *Special General Meetings* of the president, vice-presidents, trustees, and managers may be called by the superintending committee, and such meetings may also be called on a requisition of any three trustees or of any ten managers, delivered in writing to the register or to the manager in attendance at the bank, and specifying the object of such meeting, of which due notice shall be given. Special general meetings to have all the powers of the annual meeting.

5. *The Superintending Committee* is empowered to superintend and manage the general business of this bank, to elect sub-committees from their members, to fill up vacancies in their own body or to remove members therefrom, to elect the treasurer or treasurers, agent or agents; also, to appoint and dismiss the register, book-keeper, and other officers and servants.

6. *Liability of Trustees and Managers.*—No trustee or manager shall be personally liable, except for his own acts and deeds; nor for anything done by virtue of his office, except in cases where he shall be guilty of wilful neglect or default.

7. *Security by Registrar, and Officers, &c.*—The treasurer, register, and cashier, and every officer intrusted with the receipt or custody of any sum of money deposited for the purposes of the institution, or any interests from time to time accruing therefrom, and every officer and other person receiving salary or allowance for their services from the funds of this institution, shall give good and sufficient security, to be approved of by not less than two trustees and three managers of the institution, by bond to the clerk of the peace, or town clerks of the city, pursuant to 9 Geo. 4, c. 92, s. 7, for the just and faithful execution of such office or trust.

8. *Declaration of Depositors.*—All persons becoming depositors in this bank must disclose their names, professions, business, occupations, callings, and residences; and sign (in case of infants under seven years of age, by a person approved by the managers, or their officer) on making the first deposit, and at each other times as may be required, a declaration, "That they, or the person or persons on whose behalf such deposit is made, is or are not entitled to any deposit or any benefit from the funds of any other savings bank, or any other funds in
this

this bank." And in case any such declaration shall not be true, every such person (or the person on whose behalf such declaration was signed) shall forfeit and lose all deposits in this savings bank, and the account of such person will be closed; and the amount so forfeited, together with all interest accrued thereon, shall be paid over to the Commissioners for the Reduction of the National Debt, agreeably to Act of Parliament in that case made, § Geo. 4. c. 92, s. 34; but no depositor shall be subject or liable to any such forfeiture on account of his or her belonging to, or being interested in, the funds of any friendly society legally established, or charitable society, deposited in any savings bank.

9. *Accounts in Trust.*—Persons, whether depositors in any savings bank or not, may act as trustees for others not being depositors, upon giving the description of both parties, and signing a declaration on behalf of such other person or persons to the like effect, and subject to the same forfeitures if untrue as described in the foregoing rule; and the receipt of any trustee, with or without (as may be required by the managers) the receipt of the person on whose behalf and for whose benefit such sum may have been deposited, shall be a good and valid discharge.

10. *Deposits, and Rate of Interest.*—Deposits amounting to 1*s.* will be received, but they will not bear interest until they amount to 30*s.* Interest, at the rate of 3*l.* 6*s.* 8*d.*, will then be allowed upon that sum, and upon every additional sum of 30*s.* The interest due to each depositor shall be computed by months, from the 20th day of each month to the 20th day inclusive of the succeeding month. But if a depositor shall give notice to withdraw the whole of his money, principal and interest, then, inasmuch as this bank will not allow interest on any fractional part of a month, he or she is to receive interest only to and for the 20th day which shall then next have elapsed of any month before the actual day of payment.

11. *Limitations of Deposits.*—No person shall be allowed to deposit in any one year, ending the 20th day of November, more than 30*l.*; nor be allowed to make any further deposit when the sum to which such depositor shall be entitled shall amount to 150*l.* in the whole; and all interest will cease on deposits when they amount to, and so long as they continue to amount to or exceed 200*l.*, except on such accounts as on the 20th of July 1838 amounted to or exceeded 200*l.* interest included, which will still be entitled to the interest and compound interest thereon.

12. *Compound Interest.*—The interest payable on deposits will, at the conclusion of every year ending on the 20th of November, be added to the principal as a cash deposit, and from that time become principal.

13. *Depositor's Book.*—All deposits and repayments shall be entered in the books of the institution at the time they are made, and within view of the public; the depositor shall receive a book, with a corresponding copy of his or her account therein, which book must be produced at the bank, and signed by a manager, when any further sum is deposited or drawn out, and which book will be retained by the bank when the account of the depositor is closed, and not at any other time. In case any depositor should lose this book, immediate notice thereof is to be given at the bank, when upon a satisfactory explanation of the cause, and a payment of 1*s.*, a duplicate book will be furnished within fourteen days.

14. *Absence of Managers.*—No deposits are to be received or repayments made, unless at least one manager is in attendance.

15. *Attendance of Managers.*—One or more of the managers shall attend in rotation, for the purpose of receiving and repaying, or of superintending and checking the receiving and repaying of deposits, at the office of the bank, on the days and hours now appointed, or which hereafter may be appointed for that purpose; and in the absence of the managers whose rotation it shall be to attend, they shall provide other managers in their stead, or in default thereof, shall pay to the funds of the institution a fine of 3*s.* 6*d.*

16. *Deposits to be made in Office Hours.*—All deposits are required to be made at the proper office, and within the regular office hours; and this institution will not be answerable for any deposits or repayments which are made at any other place, or time, nor for any sums of money lodged or deposited with any paid officer, or clerk in the employment of the institution, unless such receipt shall be sanctioned by the presence and signature of a manager, who alone has authority to bind the funds of the bank.

17. *Deposits of Persons unable to attend.*—Forms for signature may be had at the bank, enabling persons who cannot attend to become depositors, and those who are already depositors may send the deposit-books and additional sums by other persons.

18. *Return or Refusal of Deposits.*—This bank is at liberty to return or reject the deposits of any person or persons, when it shall be deemed expedient so to do.

19. *Investment of Deposits.*—All moneys belonging to this institution shall be invested in the Bank of Ireland in the names of the Commissioners for the Reduction of the National Debt, except such sums of money as shall from time to time remain in the hands of the Treasurers, to answer the expenses thereof.

20. *Minors.*—Deposits are received from and for the benefit of minors, subject to the same rules and regulations as other deposits.

21. *Charitable Funds*.—The trustees, or trustees of any charitable society, or charitable donation, or bequest for the maintenance, education, or benefit of the poor, may deposit any part of their funds into this institution, to the amount of 100 l. per annum, provided such deposits shall not exceed the sum of 300 l. in the whole, exclusive of interest.

22. *Friendly Societies*.—Friendly societies legally established before the 30th day of July 1838, may deposit in this bank the whole or any part of their funds; but no friendly society formed and established after that day shall invest more than the sum of 300 l. principal and interest included; whenever such deposits and interest belonging to any such last-mentioned society shall amount to or continue at the said sum of 300 l. or upwards no interest on the same shall be paid.

23. *Members of Friendly Societies*.—Members of friendly, or charitable societies making deposits on their own accounts, or as trustees for others, shall not be considered as subject to a penalty declared in the rules of such societies.

24. *Withdrawing Deposits*.—Depositors may receive the whole, or any part of their monies on any day appointed by the superintending committee for that purpose, upon giving one week's notice of such withdrawal; if the sum applied for be the entire of depositor's account, it will be paid with interest (if any be due thereon) up to the 26th day of the month preceding such notice being given; if the money is not called for after the expiration of the week's notice, it will be paid if demanded on the next payment-day, after which a fresh notice will be required before payment can be made; such payment can only be made to the depositor personally, and on his or her receipt, except under power of attorney. The superintending committee may suspend the payment of money to depositors, without waiting for the regular notice, in cases of urgent necessity, such as illness, death, want of work, or in case of sudden removal of the party to another part of, or out of the kingdom.

25. *Re-lodgments*.—Depositors withdrawing deposits, may re-lodge at any time or times within one year, reckoning from the 30th November, any sum or sums of money, provided such sum or sums shall not increase his or her account in such year beyond the sum of 30 l. additional principal money bearing interest, or the sum of 150 l. in the whole.

26. *Depositors becoming insane or unable to act*.—In case any depositor in this institution shall become insane, or otherwise incapable to act, whether from illness or other cause, and if the same shall be proved to the satisfaction of the managing committee, they may authorize the payment of such weekly sum for the care, maintenance, and medical attendance of such depositor, as they shall think fair and reasonable, or such other payments on account of such depositor as the urgency of the case may require; all which weekly or other payments shall be made out of the monies standing in the name of, or belonging to such depositor, on the receipts of the parties to whom such payments shall be made.

27. *Deposits fraudulently withdrawn*.—The managers, and the registrar, cashier, and other officers and servants of this bank will diligently endeavour to prevent fraud, and identify every depositor transacting business at this bank, but in case any person procuring a depositor's book (the owner not having given previous notice to the bank of his book being lost or stolen) and stating himself or herself to be the depositor named therein, shall unlawfully obtain any deposit or sum of money from any manager, or from the registrar and cashier of this savings bank, they will not be responsible for the loss so sustained by any depositor, neither will they or this institution be liable to make good the same, provided that such payment has been regularly entered in the book of the depositor at the time when made.

28. *Drafts on Treasurers*.—No sum of money exceeding 10 l. shall be paid on foot of contingencies or current expenses, except by drafts drawn on the treasurers or bankers, which must be signed by two managers on the superintending committee, and be countersigned by the registrar.

29. *Auditors*.—The accounts of this bank shall be examined from time to time, by such person or persons as the general board of trustees and managers shall at their annual or any special general meeting appoint; such auditors not to be either trustees or managers; and their certificates to be submitted to the annual general meeting, together with the statement of accounts.

30. *Deposits of a deceased Depositor, exceeding 50 l.*—In case of the death of any depositor in this bank whose deposits and the interest thereon shall exceed in the whole the sum of 50 l., the same shall only be paid to the executor or executors, administrator or administrators, on the production of the probate of the will or letters of administration.

31. *Deposits of a deceased Depositor, not exceeding 50 l.*—In case a depositor in this bank shall die, whose deposits, including interest thereon, shall not exceed the sum of 50 l., and the superintending committee shall be satisfied that no will was left, and that no letters of administration will be taken out, they shall be at liberty to pay the same to the relatives or friends of the deceased, or any or either of them, or according to the Statute of Distributions, or require the production of letters of administration, at their discretion, and the bank shall be indemnified by any such payments from all and every claim in respect thereof, by any person whatsoever.

32. *Certificates*.—In all cases wherein certificates shall be required of the amount of deposits in the bank belonging to depositors therein, for the purpose of obtaining free of stamp

stamp duties a probate of will or letters of administration, such certificate shall be signed by a manager or the superintending committee, and be countersigned by the registrar, as a true extract from the ledger of the institution, and be in the following form:—

Dublin, St. Peter's Parish Savings Bank.

It is hereby certified, that the deposits and produce thereof belonging to late a depositor of this institution, amount to _____, and no more.

Witness our hands, this _____ day of _____ 183 _____.

{ Manager or
Committee.

32. *Arbitrators of Differences.*—Any matter in dispute between this institution, or any person acting under the same, and any depositor therein, or any person claiming to be executor, administrator, next of kin, or creditor of any deceased depositor, shall be referred to the arbitration of two persons, one to be named by the managers and the other by the claimant; and in case the arbitrators so appointed shall not agree, then such matter in dispute shall be referred to the barrister appointed by the Commissioners for the Reduction of the National Debt, pursuant to 9th Geo. 4, c. 92, s. 45; and the decision and award of such arbitrators or barristers shall be final to all intents and purposes, without any appeal.

34. *Forfeited Deposits.*—Where an account stands open in the bank books for seven years, neither diminished or increased except by the addition of interest, the amount is to be considered as part of the surplus fund; and the book-keeper is to furnish every year, ending the 30th day of November, a list of such depositors, with the gross sum standing to their credit, or a certificate that no such accounts are on the books.

35. *Regulations.*—The superintending committee shall be empowered to make such further rules and regulations, or alterations of those already made, as they may from time to time deem necessary to ensure safety and regularity in transacting the office business of the institution, provided such be not contrary to the spirit of these rules and regulations, and are approved of by a general meeting, and duly enrolled at accounts. The bank may be closed (if necessary) for any number of days, not exceeding 15, immediately following the 20th of May and the 20th of November in each year, to enable the officers to make up the interest and other accounts required by Act of Parliament.

36. That from and after these rules shall be filed with the town clerks of the city of Dublin, the present trustees and managers of this institution shall stand dissolved and removed, with the exception of the Rev. John Torrens, Archdeacon of Dublin, Robert Lemmon, and Joseph Faran, esqrs., who shall continue as trustees, and have power to name the new and additional trustees.

37. That the trustees so nominated and appointed, together with the Archdeacon of Dublin, Robert Lemmon, and Joseph Faran, esqrs., shall, at a special meeting to be called for that purpose, nominate and appoint the managers, not being less than 40; and to the president, vice-presidents, trustees, and managers so appointed, the future management of this bank shall be entrusted, subject to the foregoing rules.

I hereby certify that the foregoing Rules and Regulations are in conformity to law, and with the provisions of the Act 9 Geo. 4, c. 92, intimated, "An Act to consolidate and amend the Laws relating to Savings Banks."

(signed) John Tidd Pratt,

The Barrister-at-Law appointed by the Commissioners for the Reduction of the National Debt for the purposes of the said Act.

4, Elm-court, Temple,
3 May 1831.

N. B.—All bonds, powers of attorney, receipts, &c. required by the Act of Parliament are exempt from stamp duties.

FORM OF A POWER OF ATTORNEY, TO TRANSFER DEPOSITS.

(To be written at the foot of Accounts, and executed by Depositor in the presence of a Witness.)

I authorize and empower A. B. _____ to receive back £. s. d. (being part, or the whole, as the case may be,) deposited, as per the above account, by me,*

Witness, E. F.

C. D.

* If the whole, say * together with the interest."

DRAFT of a Minute, dated 6 June 1831.

St. Peter's Parish Savings Bank.

At a special meeting of trustees this day :—Present, in the
Chair; Joseph Farzan, and Robert Lannigan.

Richard Wright, honorary secretary, having reported that the amended rules and regulations, signed by John Todd Pratt, esq., have been filed with the town clerks of the City of Dublin;—

Resolved, in pursuance of the Act 5 Geo. 4, c. 98, and of the amended rules filed with the town clerks, that this meeting do now proceed to elect trustees.

The following were then nominated:

L. E. Foot, esq.
Walter Jones, esq.

Rev. S. W. Fox.
Joseph Hone, esq.

Resolved, that the printer be instructed to add the last two rules to the printed copy now presented by R. Lannigan, esq.

Resolved, that the trustees this day elected, together with the Archdeacon of Dublin, Joseph Farzan and Robert Lannigan, esqs., be summoned to attend at three o'clock to-morrow, for the further purpose of electing trustees and managers in pursuance of the last amended rule.

At a Meeting of Trustees held at 46, Cuffe-street, 8 June 1831, The Venerable the Archdeacon of Dublin in the Chair.

Resolved, that the undernamed be elected trustees:

Rev. R. Benson.
Rev. H. Brownrigg.
Rev. R. Ardill.

Rev. W. Manly.
J. R. Dickinson, esq.

And that the members whose names are contained in the annexed list do constitute the present committee of management.

Ordered, that the Board be summoned generally for to-morrow, at three o'clock.

No. 6*.

List of new Trustees and Managers.

St. Peter's Parish Savings Bank, 46, Cuffe-street, established in 1818.

President, The Right Hon. Lord Manserv.

Vice-Presidents:

The Archbishop of Dublin.
Rev. Sir S. S. Hutchinson, Bart.
Admiral Oliver.

The Bishop of Down.
The Archdeacon of Dublin.
P. C. Crompton, Esq., Sol. Gen.

Trustees:

Archdeacon Tonnens.
Robert Lannigan, esq.
Joseph Farzan, esq.
Rev. Smyth W. Fox.
Lundy Edward Foot, esq.
Walter Jones, esq.
Joseph Hone, esq.
Rev. Henry Brownrigg.

Echlin Molyneux, esq.
Rev. William N. Manley.
Joseph R. Dickinson, esq.
Rev. Richard Benson.
William Walsh, esq.
Maurice Collins, esq.
Simon Bolleson, esq.

Managers:

Thomas Abbott, esq.
Rev. Richard Ardill.
John Banton, esq.
Edward Brewster, esq.
L. Bryon, esq.
Hon. St. John Butler.
Nathaniel Colwell, esq.
Francis James Codd, esq.
Rev. Prince Courtois.
John Dickinson, esq.

John Mayne, esq.
Edward Mayne, esq.
Rev. Mr. Munchin.
Rev. Mr. Moore.
Arthur Neville, esq.
Allan Nesbitt, esq.
Captain Osborne.
J. H. Ottway, esq.
William Palmer, esq.
Rev. Mr. Prior.

William

Managers—continued.

Appendix, No. 1.

William Dunn, esq.
N. O. D'Olier, esq.
Ralph Harman, esq.
Robert Hitchcock, esq.
W. B. Hudson, esq.
R. M. Hutchinson, esq.
Doctor Ireland.
Nicholas Keating, esq.
Rev. Mr. Lloyd.
Rev. Mr. Marks.
Doctor M'Adam.
Rev. Mr. Matrin.

Surgeon Small.
John Senkey, esq.
Surgeon Sturly.
William Taylor, esq.
Thomas Thompson, esq.
Leonard Thornhill, esq.
Rev. Mr. Wall.
Edward Walsh, esq.
John Wharton, esq.
Richard Wright, esq.
The Churchwardens for the time being.

Treasurers.—The Bank of Ireland.

Agent, Registrar, and Cashier.—John Hughes, esq.

Book-keeper.—Robert S. Mayne, esq.

The register and book-keeper are the only persons in the above list who have salaries, having given security according to Act of Parliament.

No. 7^a.

Case submitted to Mr. Pratt respecting the postponed Claims, and his Answer, dated 31 September 1831.

CASE.

Q. 1. As a general principle, can the trustees, consistently with their own security and the duty they owe the *head file* depositors, consent to adjust any of the postponed claims, which have no legal foundation, before it appears clear that a surplus fund exists applicable to such demands, or a reasonable probability that such will exist?

Q. 2. Are the particular circumstances in this case such as would justify the trustees in distinguishing it from the general class of postponed claims, and exercising a discretion upon it to the present exclusion of others?

Q. 3. Whether giving a preference to one of the postponed claims might not invalidate the awards as to others?

Q. 4. Under all the circumstances of the case, would the trustees be justified in according to the prayer of the memorial presented to them by the committee of St. Peter's parish school, bearing in mind that the committee is principally composed of trustees and managers of the savings bank?

Mr. Pratt is requested to bear in mind that no annual account has been furnished since the year 1819, and consequently the trustees have not been able as yet to get a balance-sheet, or to ascertain how much remains due to the *head file* depositors.

ANSWER.

A. 1. I am of opinion that the trustees cannot, consistently with their own security or the duty they owe the *head file* depositors, adjust any of the postponed claims before it appears quite clear that a surplus fund exists applicable to such demands.

A. 2. I am of opinion, that an award having been made in the present case, there is nothing to justify the trustees in distinguishing it from the general class of postponed claims, and exercising a discretion upon it, except on their own responsibility.

A. 3. I do not think that giving a preference to one of the postponed claims would invalidate the award as to the others; but, in my opinion, all claims should be paid in a just and equal proportion as the surplus occurs.

A. 4. However disposed the trustees may be to assist the claimants, I am of opinion that they would not be justified as trustees in according to the memorial presented to them; but that if they accede thereto, it must be on the individual responsibility of the trustees ordering the payment.

4, Elm-court, Temple, 21 Sept. 1831.

John Todd Pratt.

No. 8*.

Appendix, No. 1.

* PAPERS showing that the Trustees, notwithstanding the Opinion of Mr. Pratt, did pay Claims postponed, when no Surplus had been ascertained.

No. 94.	Beresford Barton.	£. 10.
Award.—No legal claim on trustees. Recommended to trustees to pay this claim out of future surplus.		
4 May 1831.		John Tidd Pratt.
1 November 1832.	Signed a receipt at the bank for 2 l. 10 s.	Beresford Barton.
24 March 1835.	Signed a receipt at the bank for 2 l. 10 s.	Bridget Barton.
	Signed a receipt at the bank for 5 l., this 14th June 1836.	Bridget Barton.

No. 63.	George M'Guinness.	£. 53. 11. 6.
Award.—No legal claim on trustees. Recommended to trustees to pay the same out of future surplus.		
4 May 1831.		John Tidd Pratt.
17 July 1832.	Signed a special receipt at the bank for 13 l. 7 s. 10 d.	Jane M'Guinness.
21 February 1835.	Signed a receipt at the bank for 13 l. 7 s. 10 d.	Jane M'Guinness.
	Signed a receipt at the bank for 26 l. 15 s. 10 d., this 10th June 1836.	Jane M'Guinness.

No. 62.	John M'Guinness.	£. 52. 11. 6 ½.
Award.—No legal claim on trustees. Recommended to trustees to pay the same out of future surplus.		
4 May 1831.		John Tidd Pratt.
7 July 1832.	Signed a special receipt at the bank for 13 l. 2 s. 10 d.	Jane M'Guinness.
21 February 1835.	Signed a receipt at the bank for 13 l. 2 s. 10 d.	Jane M'Guinness.
	Signed a receipt at the bank for 26 l. 5 s. 10 ½ d., this 10th June 1836.	Jane M'Guinness.

No. 61.	Margaret M'Guinness.	£. 95. 5. 5 ½.
Award.—No legal claim on trustees. Recommended to trustees to pay the same out of future surplus.		
4 May 1831.		John Tidd Pratt.
17 July 1832.	Signed a special receipt at the bank for 23 l. 16 s. 4 d.	Jane M'Guinness.
21 February 1835.	Signed a receipt, 23 l. 16 s. 4 d.	Jane M'Guinness.
	Signed a receipt at the bank for 47 l. 15 s. 9 ½ d., this 10th June 1836.	Jane M'Guinness.

No. 65.	Alice Omsby.	£. 13. 10.
Award.—No legal claim on trustees. Recommended to trustees to pay this claim out of future surplus.		
4 May 1831.		John Tidd Pratt.
		I hereby

* Found amongst the mass of papers brought from Dublin, and sent as examples of the fact stated in page 4.

I hereby authorize Jane M'Guinness to receive the amount of the within award; Appendix, No. 2.
amount, 13*l.* 10*s.*

Dublin, 18 July 1832.

Adm. Ormsby.

Signed a special receipt at the bank for 3*l.* 7*s.* 6*d.*, 23 July 1832.

(Per Procuraion) *Jane M'Guinness.*

Signed a receipt at the bank for 3*l.* 7*s.* 6*d.*, 21 February 1835.

Adm. Ormsby.

Signed a receipt at the bank for 5*l.* 15*s.*, this 10 June 1836.

Adm. Ormsby.

No. 66.

Maurice Hearn,

£. 17*s.*

Award.—No legal claim on trustees. Recommended to trustees to pay this claim of future surplus.

4 May 1831.

John Tidd Pratt.

£. 14*s.* admitted by Maurice Hearn to have been paid to him by W. R. Dunn.

12 July 1832.

John Hughes.

Signed a special receipt for 7*l.* 10*s.* at the bank, 12 July 1832.

M. Hearn.

Signed a receipt at the bank for 7*l.* 10*s.*, 3 March 1835.

Maurice Hearn.

Signed a receipt at the bank for 15*l.*, this 10 June 1836.

Maurice Hearn.

No. 14.

Joseph Walsh.

£. 5*l.* 14*s.*

Thomas Tulbot's Account.

Award.—No legal claim on trustees. Recommended to trustees to pay out of future surplus fund.

4 May 1831.

John Tidd Pratt.

Signed a special receipt for 14*l.* 3*s.* 7*d.* at the bank, 12 July 1832.

Wm. Walsh.

Signed a special receipt for 14*l.* 3*s.* 7*d.* at the bank, 21 February 1835.

Wm. Walsh.

Signed a special receipt at the bank for the balance of 28*l.* 7*s.* 3*d.*, 10 June 1836.

Wm. Walsh.

No. 122.

James Hamilton Healty.

£. 5*l.* 13*s.* 7*d.*

Award.—No legal claim on trustees. Recommended to trustees to pay this claim out of future surplus.

4 May 1831.

John Tidd Pratt.

Signed a special receipt at the bank for 14*l.* 3*s.* 4*d.*, 12 July 1832.

Daniel Healty.

Signed a receipt at the bank for 14*l.* 3*s.* 4*d.*, 21 February 1835.

Daniel Healty.

Signed a receipt at the bank for 28*l.* 6*s.* 10*d.*, this 10 June 1836.

Daniel Healty.

Appendix, No. 1.	No. 123.	Anna Maria Healy.	£. 5s. 13. 7.
	Award.—No legal claim on trustees. Recommended to trustees to pay this claim out of future surplus.		
	4 May 1831.		John Todd Pratt.
	Signed a special receipt at the bank for 14 <i>l.</i> 3 <i>s.</i> 4½ <i>d.</i> , 12 July 1831.		
			Daniel Healy.
	Signed a receipt at the bank for 14 <i>l.</i> 3 <i>s.</i> 4 <i>d.</i> , 21 February 1835.		
			Daniel Healy.
	Signed a receipt at the bank for 28 <i>l.</i> 6 <i>s.</i> 10½ <i>d.</i> , this 10 June 1836.		
			Daniel Healy.
	No. 121.	Lucinda Healy.	£. 5s. 13. 7.
	Award.—No legal claim on trustees. Recommended to trustees to pay this claim out of future surplus.		
	4 May 1831.		John Todd Pratt.
	Signed a special receipt for 14 <i>l.</i> 3 <i>s.</i> 4½ <i>d.</i> at the bank, 12 July 1831.		
			Daniel Healy.
	Signed a receipt at the bank for 14 <i>l.</i> 3 <i>s.</i> 4 <i>d.</i> , 21 February 1835.		
			Daniel Healy.
	Signed a receipt at the bank for 28 <i>l.</i> 6 <i>s.</i> 10½ <i>d.</i> , this 10 June 1836.		
			Daniel Healy.
	No. 88.	James Doyle.	£. 10.
	Award.—No legal claim on trustees. Recommended to trustees to pay this claim out of future surplus.		
	4 May 1831.		John Todd Pratt.
	Signed a special receipt at the bank for 5 <i>l.</i> , 12 July 1831.		
			James Doyle.
	Signed a receipt at the bank for 5 <i>l.</i> , 22 January 1836.		
			James Doyle.
	Signed a receipt at the bank for 10 <i>l.</i> this 14 June 1836.		
			James Doyle.
	No. 120.	Catherine Anne Healy.	£. 5s. 13. 7.
	Award.—No legal claim on trustees. Recommended to trustees to pay this claim out of future surplus.		
	4 May 1831.		John Todd Pratt.
	Signed a special receipt for 14 <i>l.</i> 3 <i>s.</i> 4½ <i>d.</i> at the bank, 12 July 1831.		
			Daniel Healy.
	Signed a receipt at the bank for 14 <i>l.</i> 3 <i>s.</i> 4 <i>d.</i> , 21 February 1835.		
			Daniel Healy.
	Signed a receipt at the bank for 28 <i>l.</i> 6 <i>s.</i> 10½ <i>d.</i> , this 10 June 1836.		
			Daniel Healy.

St. Peter's Parish Savings Bank, Caffo-street,
13 August 1831.

Madam,

THE trustees and managers having taken into consideration your claim for payment of 20*l.* alleged to have been lodged by you in this bank on the 31st August 1829, I am directed to acquaint you that no credit appears to you in the books of this institution for any such lodgment; and as your affidavit is not considered satisfactory, from not stating the lodgment to have been made in bank hours, the trustees do not consider that you have any

any legal claim on them for the amount; but they agree to pay it out of future surplus fund, agreeably to the recommendation of Mr. Pratt in similar cases. Appendix, No. 1.

(By order.) John Hughes, Registrar.

Signed a receipt at the bank for 5*l*. the 14th August 1832.

Celia ——— (name illegible).

Signed a receipt at the bank for 5*l*. this 23 February 1835.

Julia Demers.

Signed a receipt at the bank for 10*l*. this 4 July 1836.

(For Julia Hickey,) Julia Demers.

St. Peter's Parish Savings Bank, 46, Caffo-street,
14 January 1832.

Sir,
HAVING laid before the trustees of this institution your letter of the 12th instant, relative to the disputed claims of Jonathan Knaggs for 30*l*., Ellen Knaggs for 30*l*., and Elizabeth Long for 25*l*., per pass books, I am directed to acquaint you that although the parties have no legal claim for the sums stated, the same not having been lodged within bank hours, the trustees are willing to adopt the recommendation of Mr. Pratt in similar cases, namely, to pay the amount out of future surplus.

(By order.)

Mr. Jonathan Knaggs,
68, Exchange-street. Jas. Hughes, Registrar.

Signed a special receipt at the bank for 21*l*. 5*s*., 12 July 1832.

Jonathan Knaggs.

Signed a receipt at the bank for 21*l*. 5*s*., 21 February 1835.

Jonathan Knaggs.

Signed a receipt for 32*l*. 10*s*. this 14 July 1836.

Jonathan Knaggs.

St. Peter's Parish Savings Bank, 46, Caffo-street,
25 November 1831.

Sir,
I AM directed by the trustees and managers of this institution to acquaint you, that having considered the case of Anne Jones, upon which you attended the committee this morning, they are of opinion that she has no legal claim upon them for the amount of a sum of 30*l*., purporting to have been lodged on the 26th October 1829, in a pass book marked "W. B. B.," bearing a fictitious number, the more particularly as it has not been proved that the sum in question was lodged in bank hours. The committee nevertheless are willing to adopt the recommendation of Mr. Pratt under similar circumstances, namely, to pay the amount out of future surplus.

(By order.)

Harriet Crofton, Esq.,
54, Hancourt-street. John Hughes, Registrar.

The book alluded to in the foregoing is now deposited in St. Peter's Parish Savings Bank, ready to be produced when occasion shall require.
29 November 1831.

Rich. Wright.

£ 10. Signed a receipt at the bank for 10*l*., 3 January 1833.

Anne Jones.

Signed a receipt at the bank for 10*l*., 12 March 1835.

Mary Crofton.

Signed a receipt at the bank for 20*l*. this 19th of July 1836.

Mary Crofton.

A dispute having arisen between the trustees and managers of the savings bank in St. Peter's Parish, Caffo-street, Dublin, and Samuel Downing, of Maryborough, in the Queen's County, claiming to be a depositor in the said savings bank in respect of a sum of 43*l*. claimed to be due and owing to him as a depositor in said savings bank from the said trustees, the trustees whose names are hereunto subscribed, in pursuance of the provision of the 45th section of the 9 Geo. 4, c. 94, entitled, "An Act to Consolidate and Amend the Laws relating to Savings Banks, and of the Rules and Regulations of the said Savings Bank," do hereby appoint Robert Mayne as the arbitrator on their part, and the said Samuel Downing

Appendix, No. 1.

doth hereby appoint Mr. William Johnston the arbitrator on his part, to settle the matter in dispute.

In witness whereof, the said trustees as well as the said have hereunto signed their names, this 24th day of August 1835.

Witness,

*Rick Wright, for the Trustees.
Samuel Downing.*

We, the arbitrators above named, having considered the claim above mentioned, do award that the sums of 12 l. and 31 l. making the sum of 43 l. above mentioned, are not legally chargeable on the trustees, no evidence having come before us that said sums were lodged in the bank in banking hours, but from the circumstances of the case, we strongly recommend the trustees to discharge same out of their future surplus funds.

*Robert Mayne.
William Johnston.*

Signed a receipt at the bank for 10 l. 15 s., 31st August 1835.
(For Samuel Downing.)

William Johnston.

Samuel Downing came before me this day, and made oath on the Holy Evangelists that he lodged 31 l. and 12 l. in the savings bank of Caffo-street, at the time which he believed to be the proper time of doing business in said bank, and that he handed said sums to Mr. Dunn, the person who he believed to be duly authorized to receive and to pay monies in said bank. He also avers that the above sums, amounting to 43 l., he has not been paid, nor the interest thereof.

Sworn before me, this 13th July 1835.

Samuel Downing.

James Blacker.

Madam,

St. Peter's Parish Savings Bank, 46, Caffo-street,
15 July 1835.

I am directed by the superintending committee of this institution to request you, that upon the fullest consideration of your claim and the affidavit furnished by you in support thereof, the committee cannot admit the same, it not being a legal one to which the trustees are liable; but they are willing, under all the circumstances, to adopt as far as practicable the recommendation of Mr. Pratt in similar cases, that of paying the amount out of future surplus.

(By order.)

Jas. Hughes, Registrar.

Mrs. M. A. Brady, Upper Mount-street.

£. 6s. 7. 10.

Signed a special receipt at the bank for 15 l. 6 s. 11 1/2 d., 17 July 1835.

Mary Ann Brady.

Signed a receipt at the bank for 15 l. 6 s. 11 1/2 d., 24 February 1835.

Mary Ann Brady.

Signed a special receipt at the bank for 30 l. 13 s. 11 d., this 10th June 1835.

Mary Ann Brady.

Sir,

St. Peter's Parish Savings Bank, Caffo-street,
18 May 1835.

HAVING laid before the superintending committee your letter of the 11th inst., relative to the claim of the superannuated Methodist preachers, I am directed to request you that the trustees of this institution have agreed to the award made by the arbitrators duly appointed to settle the same, and that the trustees will abide by the terms of said award, viz., to pay the amount of said claim (250 l. with interest), by instalments, at as early periods as possible, out of the surplus funds of the bank.

(By order.)

John Hughes, Registrar.

Rev. Wm. Ferguson, 34, Camden-street.

Signed a special receipt at the bank for 62 l. 10 s., 12 July 1835.

William Ferguson.

Signed a special receipt at the bank for 62 l. 10 s., 31st February 1835.

William Ferguson.

Signed a receipt at the bank for 125 l. 18 s. 10 d., this 24th June 1835.

William Ferguson.

No. 9*.

Appendix, No. 1.

LETTER from Mr. Lawson and others, dated 14 May 1830.

Sir,

We require you to summon a special meeting of the trustees and managers of St. Peter's Parish Savings Bank, for Wednesday next the 19th instant, at 3 o'clock, to adopt timely measures for taking down from the depositors' pass books (as they may come in, either for lodgment, repayment, settlement of interest to the 20th instant, or any other purpose) the all-important fact, how much we owe; and whether our funds in the Bank of Ireland to said 20th instant, fall short of, or exceed said sum.

The long-acknowledged irregular state of our ledgers and other bank books compels us (once more) to suggest this measure, which may act as a check upon, and concurrently with others now in operation, which we think cannot be alone effected from the state of our books; viz.,

Mr. Burn's return (for several months expected) of our balances for four years, ending 20 November 1828.

The present deficit returned for the year ending 20 November 1829, 4,200*l.*; for though 3,100*l.* thereof appears easy of explanation, yet the remainder is sufficiently alarming, and has not yet been explained by a committee of 10, nor by the additional clerk Kennedy; nor is the 3,100*l.* by the clerk in the Bank of Ireland, employed by Doctor Orpen.

Under all these circumstances we should take an account of our debts from the most authentic documents, namely, the depositors' pass books, the vouchers against the bank.

Rt. Lawson, Trustee.

Alexander Brown,

John Barton,

Richard Barton,

R. M. Hutchison,

Managers.

Richard Wright, Esq., Secretary.

No. 10*.

LETTER from Mr. Lawson, dated 5 February 1831.

Sir,

42, HARROVET-STREET.

BEING confined with a cold, I sent for Doctor Orpen's book of correspondence with the Commissioners for Reduction of the National Debt, which I now return, though unable in point of time to read it over. This subject is of great consequence; should be disposed of soon; and I think a settlement might sooner be effected by our restoring to the general fund the presumed surplus of 1828.

We are in fact disposing who will concede first to the other; but we should lead the way; the error first originated with us; by stating a surplus (though it in fact was drawn out) and following that up by two trustees, without any authority, certifying same, which was not true.

I speak merely of presumed surplus; for our real surplus is one of the arenas of the establishment; and this suggests to me to state the necessity of an actual examination and comparison of each depositor's account in his pass book (particularly if drawing out all his money) with his account in our ledgers, and above all in our day books.

This is the interval when books if at all erroneous, will be most likely to be offered. Upon the election of the new officers this was a primary regulation I wished to propose; but there is never time for such subjects. The committee should be cautious ere they give their final answer.

Could Doctor Orpen get a copy of the case laid before Mr. Pratt? I can give no opinion on the correspondence, not having had time to read the whole; as far as I did read, it appears to me that the Commissioners were kept in ignorance of the actual state of our institution.

I have, &c.

(signed) Rt. Lawson.

To the Chairman
of the St. Peter's Parish Savings Bank,
for the Day.

No. 11*.

REVENUE MEMORANDA, which appear to relate to the Transactions of the last Day of Repayments.

My dear Sir,

Lesson-street, Wednesday, May 3.

I received at the savings bank this day the two sums which my servants had in it, and I beg you to accept my thanks.

This day I ascertained that my sister, Susannah Besonnet, lodged 20*l.* in your savings bank in August last. I shall be very much obliged if you can arrange so as to secure it

O.G.P.

Q 3

for

Appendix, No. 1. for her. It is the property of a poor person. The number of her book (which she has left with me) is 5,959, and if you will let me know how I can send it to you, I shall do so immediately.

With many thanks for your kindness,

Believe me, &c.
(signed) J. Bennett.

	£.	s.	d.
Paid Mr. Mayne - - - - -	538	19	9
Ditto Mr. Robinson - - - - -	107	12	4
Mr. Fox for Gourrell - - - - -	474	8	6
Evans to Henry R. - - - - -	8	-	-
Keating - - - - -	74	12	6
Ryan - - - - -	18	1	1
Mr. F. for Mrs. Stone - - - - -	15	-	-
D. Pope - - - - -	6	7	2
Salary, lodgements, paid Henry Rn. - - - - -	53	-	4
Pearson - - - - -	-	2	6
Longworth - - - - -	37	4	5
	1,394	8	9
	1,897	-	-
	603	8	9
Paid Mr. Fox - - - - -	21	4	2
7,899. White - - - - -	2	-	-
7,897. Ditto - - - - -	2	12	6
	4	12	6
Magnie - - - - -	400	7	3
Clare - - - - -	44	-	-
	£. 538	19	9

Paid Mr. Mayne.

Handed over to Mr. Hannan, £. 509.

	£.	s.	d.
250. 4/1988. Birney, Ann - - - - -	109	10	10
255. 7/341. Pearson, Wm. (plus 1s) - - - - -	14	7	4
257. 7/549. McBrade, Mary (plus 5L) - - - - -	80	3	3
257. 4/3198. Culleton, Tho. - - - - -	19	8	-
251. 7/559. Espinasse, Wm. - - - - -	6	1	11
	162	11	4
Plus - - - - -	5	1	-
	£. 167	12	4

Paid Mr. Robinson.

No. 15*.

COPY of NOTICE taken from the Wall of St. Peter's Parish Savings Bank.

NOTICE.

ALL monies lodged in the Saint Peter's Parish Savings Bank are, on the following day, pursuant to Act of Parliament, lodged in the Bank of Ireland, to the credit of the Commissioners for the Reduction of the National Debt, and remain in the possession of the Government until required and noticed for by the depositors.

Trustees and managers act gratuitously.

Appendix, No. 2.

Appendix, No. 2.

AUCHTERARDER SAVINGS BANK.

QUESTIONS.

ANSWERS.

1. When was this bank established? 1. In March 1841.
2. Who were the trustees and managers? 2. Several of the landed proprietors in the immediate neighbourhood of Auchtermader village, and some of the resident merchants and tradesmen, including some clergymen of different religious denominations in the town and neighbourhood. The population of Auchtermader may be stated at 2,000; and the number of trustees and managers were, in all, about 40.
3. When did this bank fail or stop payment? 3. In December 1846, immediately on the absconding of the cashier.
4. What were the causes of such failure? 4. The absconding of John Findlay, the parochial schoolmaster and local cashier, who was the only officer of the bank, leaving a deficit in his accounts to the amount of nearly 1,000*l*.
5. How many depositors were there, and what was the aggregate amount of their deposits at the period of the failure? 5. There were 441 depositors, with an aggregate capital of 4,300*l*, being an average total deposit of somewhat less than 10*l* each.
6. What was the amount of the available funds of the bank at the time of the failure? 6. £ 2,774.
7. What dividend would that sum amount to if distributed amongst the several depositors? 7. 12*s*. 11*d*.
8. Were any means taken to make up the deficiency, and if so, to what amount, and from what funds was any further sum received? 8. The trustees and managers held they were not liable to make up any part of the deficiency, but, from motives of benevolence, they entered into a voluntary subscription among such of them as survived and were solvent; and after great exertions a sum of nearly 700*l* was subscribed (the Member for the county and one or two others, who never had been trustees, joining in the subscription). An arrangement was also made, by which Findlay the cashier's private estate was taken possession of for the behalf of the depositors, and the estimated value thereof being 450*l*, advanced, and paid over to the depositors along with the whole funds of the bank, and the subscriptions in January 1848.
9. What dividend was ultimately received by the several depositors? 9. Eighteen shillings per pound on their several deposits, on consideration of their discharging the trustees therefor. The depositors have received said dividend, and delivered up their pass-books discharged.
10. Has the bank been reopened, or has it ceased altogether? 10. The bank has not been reopened; it ceased to exist on the said payment being made to the depositors. The difficulty of getting private gentlemen to undertake a pecuniary liability has prevented the re-establishment of the bank.

Appendix, No. 3.

Appendix, No. 3.

My dear Mr. Hamilton,

44, York-street, 27 June 1866.

MANY thanks for your kind letter, and for all the trouble you have had on my account: believe me I would not have hesitated to obey the summons from the Committee on Savings Banks, but I was suffering from gravel, which afflicts me after my late severe illness from influenza.

Any evidence in my power would not, I believe, be of any use, as I never interfered in the internal affairs or management of the bank, except signing the drafts for repayments, which had been previously prepared by the secretary and cashier, and which seldom occupied more than a few minutes in a week; and the books or papers of the bank were never for a moment in my possession; therefore I could not produce them as desired by the summons, or give any the slightest information required. I always understood that the Government were aware of the embarrassments of the bank, but could not suspect any of those employed in carrying on the routine of the business, from the high character they enjoyed, from being parties in trust or peculation; but it was generally reported and accredited that Mr. Dunn, who had been many years ago employed in the bank, had absconded with a large sum. Be assured I feel most anxious as any one can be, and feel for the unfortunate depositors, but I am quite in the dark as to the guilty, whom I would never screen or protect, and I beg to assure you that no one was more astonished than myself at the amount of the sum reported in default.

I trust the Committee will acquit me of any intentional disrespect, and to assure them that though my name has been used as trustee, it was permitted by me by a wish to assist a most charitable and benevolent institution.

The enclosed certificate I could wish had been earlier forwarded, but I thought my own statement would fully exculpate me.

Believe me, &c.

Geo. Alex. Hamilton, Esq., &c.

(signed) Jos. Farran.

It is my opinion that the state of Mr. Farran's health (whom I have this day examined) is such that it would be exceedingly dangerous to his life to incur the fatigue of going over to London, particularly when his advanced years are taken into consideration.

26 June 1866.

Gerald O'Leary, M. D.,
Fellow of the Royal College of Surgeons, Ireland.

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I N D E X.

[*N.B.*—In this Index the *Figures* following *Rep.* refer to the paging of the Report; the figures following the Names of the Witnesses to the Questions of the Evidence; and those following *App.* to the Appendix.]

A.

ABSTRACT OF ACCOUNTS. Abstract of accounts of the Coffee-street Savings Bank made out by witness on 20 November 1844; alteration made therein previous to being furnished to the Commissioners of the National Debt, *Mayne* 630-644.—Mr. Mayne never delivered an abstract of the bank accounts to witness in 1844, nor was witness ever a party to any alteration of accounts, *Hughes* 1074-1081.

Accountants. See *Accounts*, 4.

ACCOUNTS (COFFEE-STREET BANK):

1. *Generally.*
2. *Classification of Accounts.*
3. *Accounts made up for the National Debt Office.*
4. *Opposition to the proposed Employment of an Accountant.*

1. *Generally;*

Observations relative to the transmission of the accounts of the bank in 1844 to Mr. Hughes, *sen.*, *Mayne* 1082, 1083.—Assertion made by witness that the accounts were kept regularly, and the money paid into the bank during Mr. Hughes' absence, *For* 695-718, 716-718, 734, 760-766, 803-828.

2. *Classification of Accounts:*

Classification of the accounts of the savings bank in 1844, showing the amount of deposits in the bank at that period, *Mayne's Ev.* p. 26.—Statement as to the errors contained in the classified accounts of the bank, *Parter* 1406.

3. *Accounts made up for the National Debt Office:*

Statement of the Committee that the trustees and managers of the bank did not comply with the provisions of the Act of Parliament in furnishing their accounts annually in due time to the Commissioners for the Reduction of the National Debt, *Rep.* 4.—Part taken by witness in making up the accounts annually for the Commissioners of the National Debt, *Mayne* 66, 67.—Manner in which the account submitted to the National Debt Office in 1831 was made out, *ib.* 122-126.—Manner in which the annual accounts for the Commissioners of the National Debt were made up; part taken therein by witness, and part taken by Mr. Hughes, *ib.* 343-360.—The annual accounts were always made out so as not to show the actual deficiencies; endeavour made to show that the liabilities of the bank were less than they actually were, *ib.* 361, 362, 369.—The accounts for the Commissioners of National Debt in 1844 were not made up by witness, but by his father, *Hughes* 1071-1073.

4. *Opposition to the proposed Employment of an Accountant:*

Proposal of witness in 1843 that a public accountant should be employed to settle the bank accounts; opposition which this proposal met with; it was acquiesced by a majority on a division of the Board, *Sept.* 1530-1536.—All witness's enemies to ascertain the state of the bank accounts met with every obstruction short of personal violence; the minutes were all removed from the bank to the custody of Mr. Hughes, *ib.* 1534-1538.—Circumstances under which witness obtained a copy of the account of the bank; after this witness was treated with distrust by the managers, *ib.* 1539-1541, 1543.—After witness's failure of obtaining an investigation into the affairs of the bank by the appointment of an accountant, he communicated with the Chancellor of the Exchequer, *ib.* 1549.

Report, 1850—continued.

ACCOUNTS—continued.

4. *Opposition to the proposed Employment of an Accountant*—continued.

who took no notice of the communication; after this witness became perfectly indifferent upon the subject, *Synth* 1616-1618—It is witness's belief that more money was recovered from the depositors than was charged in the bank accounts, *ib.* 1622-1639.

See also *Abstract of Accounts.* *Alteration of Accounts.* *Annual Accounts.*
Audit of Accounts. *Balances.* *Bank of Ireland.* *Chancellor of the Ex-*
chequer. *Discrepancies.* *Examination of Accounts.* *Far, Mr.* *Govern-*
ment Account. *Investigation of Accounts.* *Management of the Bank.*
National Debt Office. *Payments.*

Act of Parliament. Statement of the Committee that the trustees and managers of the Caffo-street bank did not comply with the provisions of the Act of Parliament either in furnishing their accounts annually in due time to the Commissioners for the Reduction of the National Debt, or affixing in the office copies of such accounts for the information of their depositors, *Rep.* 4.—See also *Accounts*, 3. *Annual Accounts.*

Actuaries. See *Killarney Savings Bank.* *Trilock Savings Bank.*

Agent. No agent was appointed during Mr. Hughes's absence; Mr. Robinson, the assistant book-keeper, acted for him, *For* 705—Witness is not aware that the Bank of Ireland refused to take any money to the credit of the Commissioners for the National Debt, without its being paid in by an agent regularly appointed, *ib.* 706-708—If this were the case it would account for the money not being regularly paid in during Mr. Hughes's absence, and the money must have been kept in the safe, of which witness supposes Mr. Robinson must have had the key, *ib.* 709, 717-720, 730-732, 760-766, 803-828—Attention paid by witness's father to the duties of agent at the bank, *Hughes* 1084-1086.

Alteration of Accounts. Witness was no party to any alteration in the accounts, as supplied by Mr. Mayne, sent to the Commissioners of National Debt in 1844, *Hughes* 1087-1089.—See also *Abstract of Accounts.* *Day Book.*

Annual Accounts. The annual accounts of the Caffo-street savings bank was never exhibited in the office as directed by the Act; they would not bear the public scrutiny, as they must have shown a deficiency, *Mayne* 597, 598—The annual accounts furnished by the trustees to the Commissioners were never published, *ib.* 603.

See also *Accounts*, 3. *National Debt Office.*

Armstrong, John Simpson. (Analysis of his Evidence.)—Authorized reporter in the Court of Queen's Bench, 1430—Was present at the arguments used, and the decision given in the Court on the subject of the Trilock Savings Bank, 1433, 1434—Evidence in detail of the circumstances under which the appeal came before the Court in reference to the decision made by Mr. Tidd Pratt; it was an appeal from his award, 1435 et seq.—Statement of the action brought by a depositor against a trustee under the award of Mr. Tidd Pratt, 1436, 1437—Technical objections made as to the legality of the award made by Mr. Tidd Pratt, 1437-1443—Observations of Judge Moore on the subject of the legality of the award made, 1439-1443—Copy of the judgment delivered by Chief Justice Blackburn after hearing the arguments of the case, which decided that the action was not maintainable, 1445, 1446—How far witness considers that the technical objections were fatal to the award, 1447-1449.

Assets and Liabilities. Statement showing the liabilities, assets, and apparent deficiency of the Caffo-street Savings Bank on the 20th November, in the years 1830, 1831, 1833, 1838, 1845, 1846 and 1847, *App.* 85, 88-91, 94-106.

See also *Killarney Savings Bank.* *Liabilities.* *Trilock Savings Bank.*

Attendance of Trustees. Particulars relative to witness's attendance at the Caffo-street bank in 1843, *For* 670-674.

Auchterarder Savings Bank. Statement of the Committee that the bank at Auchterarder was a small one, and no evidence has been given to the Committee as to the cause of its stoppage, *Rep.* 5—A local subscription of 700*l.* enabled the trustees to pay the depositors 18*l.* 6*d.* in the 1*l.* *ib.*—Copy of queries relative to the establishment, failure, causes of the failure, amount of deposits, and amount of dividend paid to the depositors of the Auchterarder Savings Bank, with the answers reserved thereto, *App.* 127.

Audit of Accounts. Remarks relative to the alterations made in the rules of the Caffo-street Savings Bank with respect to the appointment of auditors for the examination of the accounts, *Porter* 1466, 1484-1490—Extract from the minutes of the bank, containing witness's proposition for auditing the accounts of the bank, *Synth* 1555-1557.

AWARDS:

AWARDS:

1. *Coffee Street Bank (Dublin).*
2. *Trilock Savings Bank.*

1. *Coffee-street Bank (Dublin):*

Observations of the Committee on the awards made by Mr. Todd Pratt, *Rep.* 3.—Recommendation of Mr. Todd Pratt that the legal claims to the amount of 7,589*l.* 8*s.* be paid forthwith, and the illegal claims to the amount of 4,274*l.* be paid out of any future surplus which might accumulate in the funds of the bank, *ib.*—Statement of the Committee that the trustees kept open the bank, but did not comply with Mr. Todd Pratt's recommendation to postpone the payment of his awards for illegal claims, but forthwith paid the whole of his awards, *ib.*—Grounds on which Mr. Todd Pratt conceived it to be his duty to award to the depositors prior to 1844, payment of their claims in full, while the funds at his command only enabled him to award to depositors subsequent to 1844, 3*s.* in the *l.* on the amount of their claims, *ib.* 5.—Nature of the awards made by Mr. Todd Pratt; they were of two kinds; the first and greatest were, persons who never had accounts in the bank at all, or whose accounts were previously drawn from the old ledgers, who had led accounts and fraudulently closed, *ib.* 116–118.—Mr. Pratt's awards in 1831 were all paid by drafts ordered by the committee, of which no account was kept; they were all paid by 1839, including the illegal awards, *For* 945–955.

2. *Trilock Savings Bank:*

Statement of the action brought by a depositor against a trustee under the award of Mr. Todd Pratt, *ib.* 1435 *et seq.*—Evidence in detail of the circumstances under which the appeal came before the court in reference to the decision made by Mr. Todd Pratt; it was an appeal from his award, *ib.*—Technical objections made as to the legality of the award made by Mr. Todd Pratt, *ib.* 1437–1443.—Observations of Judge Meeson on the subject of the legality of the award made, *ib.* 1439–1443.—Copy of the judgment delivered by Chief Justice Blackburn after hearing the arguments of the case, which decided that the action was not maintainable, *ib.* 1445, 1448.—How far witness considers the technical objections fatal to the award, *ib.* 1447–1449.

See also *Depositors.* Pratt, Mr. Todd.

B.

Balances. Manner in which the cash balances of the Coffee-street savings bank were kept by Mr. Hughes, *ib.* 229–232.—Explanation as to the balance remaining in witness's hands at the closing of the bank; manner in which appropriated, *ib.* 282–342.—Witness does not think that the balance at any particular time in the Bank of Ireland to the credit of the savings bank was ever shown to the trustees; it was perhaps mentioned at the annual meetings for the public accounts, *For* 739.—If the cheques were drawn in excess, the excess must have remained in old Mr. Hughes's hands, *ib.* 942–944.—After 1843 Mr. Hughes, *jun.*, stood in the same position in the bank as his father had done, therefore, for any drafts drawn in excess after that date, the cash would come into his possession, *ib.* 966–974.—See also *Cash Balance.*

Bank of Ireland. The Bank of Ireland was the measure to the Coffee-street Savings Bank; witness is not aware of the existence of a pass-book between the Bank of Ireland and the savings bank, *ib.* 32–59.—Manner in which deposits were made by the savings bank with the Bank of Ireland; nature of the receipts for each lodgment, *ib.* 151–173.—Witness is not acquainted with the transactions between the savings bank and the Bank of Ireland; Mr. Hughes is cognizant of them, *ib.* 257–271.—Witness cannot in any way account for the appearance of a receipt for 1,251*l.* 3*s.* on 17 July 1847, of which sum no account appears in the books of the Bank of Ireland, *For* 859–869.—Payment of all monies received at the savings bank from the public into the Bank of Ireland, with the exception of deductions for expenses, *ib.* 1064–1070.—Explanation as to the missing receipt of the Bank of Ireland, of the sum of 1,251*l.* 3*s.*, paid into the bank in July 1847, *ib.* 1189–1221. 1379. 1416–1423. 1429–1431.

During the run upon the bank in 1845, lodgments were not regularly made in the Bank of Ireland; nature of the account kept of the money paid in during that time, *ib.* 1257, 1258.—Explanation as to the manner in which lodgments were made in the Bank of Ireland, and receipts taken for the amount, *ib.* 1291–1331. 1380–1416. 1424.—The missing receipt of July 1847 for the 1,251*l.* 3*s.* was produced before Mr. Thomas Dodd Smith, one of the trustees, *ib.* 1429–1431.

See also *Agent.* *Balances.* *Deposits.* *Discrepancies.* *Missappropriation of Funds.* *Pass Books.* *Payments.* *Repayments.* *Vouchers.*

Blackburn, Mr. Justice. See *Awards*, 2.

Report, 1850—continued.

Book-keepers. Appointment of witness as book-keeper in the Cuffe-street Savings Bank, by a minute of the Board; nature of the duties of book-keeper, *Mayne* 3-5.—Mr. Page was the book-keeper to the bank previous to witness's appointment, *ib.* 68-70.

Book-keeping. System of book-keeping pursued in the Cuffe-street bank; description of the books used; witness is not aware whether a cash book was kept by the cashier, *Mayne* 6-21.

Books. New set of books kept in the office of the Cuffe-street bank on witness's appointment as book-keeper in 1833; how far the old books have been used since that period, *Mayne* 109-121.—The committee have in their custody all the books in existence in relation to the bank, *ib.* 278-281.

See also Custody of Books. *Day Book.* *Examination of Accounts.* *Ledgers.* *Minute Books.* *Pass Books.* *Receipts and Payments.* *Slip Book.*

Byrne, Mr. James. Report from Mr. James Byrne, public accountant, to the Board of Trustees and Managers of St. Peter's Parish Savings Bank, dated 2 April 1831, on the subject of his examination of the bank books, and also the pass books, *App.* 109-111.

See also Examination of Accounts.

C.

Cash Balances. Manner in which the cash balances of the Cuffe-street Savings Bank were kept by Mr. Hughes, *Mayne* 229-232.

Cash Book. *See* Book-keeping.

Cashier. Mr. Hughes was cashier to the Cuffe-street bank from January 1831 to the time of the bank failing, *Mayne* 492.—Appointment of witness as cashier to the Cuffe-street Savings Bank in April 1844; nature of his duties, *Hughes* 1054-1063.—Circumstances under which witness was appointed cashier in 1844, *ib.* 1084.—How far witness considered himself responsible for the due application of the funds of the bank, *ib.* 1341.

See also Book-keeping.

Certificates. Certificate given of the amount required for making repayments to the depositors, *Mayne* 234.

Chancellor of the Exchequer. Communication had by witness with the Chancellor of the Exchequer in 1845, upon the subject of the Cuffe-street Savings Bank, *Porter* 1458-1463.—Reference to the statement made by Mr. Keating Clay before the Committee in 1848, of what passed during that interview; this statement is not entirely correct, *ib.* 1464-1466. 1484-1490.—Letter written to the Chancellor of the Exchequer, dated 20 November 1845, forwarding the accounts of the Cuffe-street bank, *Smith* 1541, 1542.—Circumstances under which witness forwarded his letter of 20 November by Mr. Porter, *ib.* 1547-1550.—Copy of witness's letter contained in the evidence taken before the Committee on Savings Banks, Ireland, in 1848, *ib.* 1551.—Witness's not receiving any reply to his letter to the Chancellor of the Exchequer gave him confidence in the affairs of the bank; witness considered that the debt of 1831 was a liquidated sum, and set it down as secured, *ib.* 1552-1554.—Explanation of certain portions of witness's letter to the Chancellor of the Exchequer of 20 November 1845, *ib.* 1559-1566. 1619-1620.—*See also* Closing the Bank.

Cheques (Cuffe-street Bank). Reference to the cheques, one dated 12 July 1832 for 500 £, and on 10 August for 655 £ 8 s. 4 d.; witness is not aware how those amounts were appropriated; they were drawn without notice from witness, *Mayne* 130-143.—Manner in which the cheques of the bank, to meet the repayments, were drawn and signed by the trustees, *ib.* 234-236.—No cheque was ever signed without a written statement of what it was wanted for; this was written on a slip of paper; Mr. Farran always kept these slips of paper, *ib.* 737-739. 755, 756. 799-800.—There was no minute of them kept in any book, *ib.* 740-747.—Manner in which cheques were drawn and signed by the trustees of the savings bank; if the cheques exceeded the amount required for repayment, a fraud must have been intended, *Smith* 1641-1650.—Receipt of all money drawn by cheques from the Bank of Ireland by Mr. Hughes, the actuary, *ib.* 1651.

See also Awards. *Balances.* *Discrepancies.* *Misappropriation of Funds.* *Payments.* *Signature of Cheques.* *Vouchers.*

Claims. Evidence relative to the payment of the claims of depositors in the Cuffe-street Bank, whose funds had been fraudulently abstracted by Mr. Dunn; amount of the deficiency created by the payment of these claims, *Mayne* 521-524.—Payment of all disputed claims upon the bank previous to 1833; this is to what the report of the septennial-committee referred in speaking of the payment of all claims, *ib.* 527-531. 571-573.—The whole of the claims paid subsequently to 1833 passed regularly through the books of the establishment; the large amounts withdrawn from the Bank of Ireland subsequently to 1833, of the expenditure of which no explanation appears in the books, could not have been applied in satisfying any of those claims, *ib.* 534-543.

See also Awards. *Disputed Claims.* *Postponed Claims.* *Pratt, Mr. Todd.* *Unsettled Claims.*

Classification

Clarification of Accounts. See *Accounts*, 2.

Cloy, Mr. K. See *Chancellor of the Exchequer*.

Closing the Bank. Statement of the committee that they find the Cuffe-street bank closed in 1848, with liabilities amounting to 64,774*l.* 3*s.* 6*d.*, and assets amounting to 90*l.* 16*s.* 5*d.*, *Rep.* 3.—If the bank had stopped in 1838 the depositors would have received nearly 10*s.* 6*d.* in the pound; and if in 1845, the loss to the depositors would not have much exceeded 5*s.* in the pound, *ib.* 4.

No steps were taken to close the Cuffe-street bank after the interview with Mr. Goulburn, as he stated he did not possess the power, *Porter* 1470.—Opinion that Mr. Goulburn possessed the power of closing the bank under an Act of 9 Geo. 4, as regards the furnishing a monthly account to the National Debt Office, *ib.* 1470, 1471.—Had the bank been closed at the time of witness's communication with the Chancellor of the Exchequer in 1845, witness is satisfied that there would have been 18*s.* in the pound for the depositors, *Smyth* 1078.—Rough memoranda which appear to relate to the transactions of the last day of repayment, the 3d May referred to before the Committee of 1844, *App.* 125, 126.

See also *Balances.* *National Debt Office.*

Commissioners for the Reduction of the National Debt. See *National Debt Office*.

Cox, Mr. Esq. Extent of the knowledge likely to be possessed by Mr. Ross Cox, relative to the affair of the Cuffe-street bank, as derived from Mr. Dann, *Porter* 1475.

Criminal Proceedings. Statement of the Committee, that the management of the Cuffe-street Savings Bank, both previous to and since the year 1831, is liable to grave suspicion, and they have felt it their duty to recommend the institution of criminal proceedings against Mr. John Hughes and Mr. John E. Hughes, the registrars or secretaries, *Rep.* 4, 5.

Cuffe-street Savings Bank. Observations as to the attempt which has been made to baffie inquiry into the affairs of the bank, and to mix up innocent persons with the guilty, *Porter* 1472, 1480.

Custody of the Books. On the stoppage of the Cuffe-street bank, witness had the custody of all the books, but no other documents, *Mayne* 29-34.

D.

Day Book. Particulars relative to an error in the day book of the Cuffe-street Savings Bank, under the date of 15 June 1840, *Mayne* 474-484.

Debt of the Bank (Cuffe-street). No steps have been made to ascertain what amount the bank really owed to the depositors, except in conjunction with Mr. Pratt, *Mayne* 377-381.—Letter from Mr. Robert Lanyon, and others, to the secretary of the Cuffe-street Savings Bank, dated 14 May 1830, pressing the managers to ascertain from the depositors' pass books, "how much they owed," *App.* 125.—Letter from Mr. Lanyon to the secretary, dated 5 February 1831, to the same effect, *ib.*

Defalcations. See *Dann, Mr.*

DEFICIENCIES (CUFFE-STREET BANK):

1. Evidence relative to the Deficiency in 1831.
2. Steps taken in 1842 to ascertain the amount of the Deficiency.
3. Paper laid before the Committee.

1. Evidence relative to the Deficiency in 1831:

Statement of the Committee that subsequently to 1831 in consequence of the gross mismanagement, if not from conduct still more reprehensible, the deficiency then existing gradually increased, *Rep.* 3, 4.—Deficiency in the funds of the savings bank in 1831 to meet the amounts due to the depositors, *Mayne* 156, 157.—Arrangement made between the managers of the savings bank and the Government, as to the deficiency of the bank in 1831, *ib.* 381, 382.—The whole of the difficulties of the bank arose from the deficiency of 1831; it is the accumulation of that debt that is the incubus now, *ib.* 363-376, 383-399.—Estimated amount of the deficiencies of all kinds in the bank up to 1833, as made out by witness, *ib.* 515, 520, 554-570.—Remarks as to the agreement between the savings bank and the Commissioners of National Debt, as to the deficiency in the bank accounts, *ib.* 550-607.

2. Steps taken in 1842 to ascertain the amount of the Deficiency:

When witness became manager in 1842 he had no idea that there was any deficiency in the year 1831; he looked upon the bank as perfectly solvent, *Smyth* 1494, 1495.—Circumstances under which witness became suspicious as to the solvency of the bank, cautions made to ascertain the true state of the affairs of the bank; opposition of certain parties to witness's inquiries, *ib.* 1496-1507.—Circumstances under which witness's suspicions of the state of the savings bank were first excited, *ib.* 1603, 1605, 1608-1610.

Report, 1850—continued.

DEFICIENCIES—continued.

3. Paper laid before the Committee:

Statement showing the liabilities, assets, and apparent deficiency, of the Caffe-street Savings Bank on the 20th November in the years 1830, 1831, 1832, 1833, 1845, 1846 and 1847, App. 85. 88-91. 93-106.

See also Accounts, 2. Deposits. Dunn, Mr. Government, The. Management of the Bank. National Debt Office. Trustees. Unsatisfied Claims.

Depositors. The depositors in the Caffe-street bank previous to 1831, who had not been the subjects of award by Mr. Todd Pratt, had their balances transferred into the new ledgers, and the repayment of their balances took place in the ordinary course of business, *Mayne* 221-223.—Classification of depositors to whom the sum of 60,488*l.* 2*s.* 3*d.* appears to be due, App. 91.

See also Accounts, 4. *Auslander* Savings Bank. Awards. Claims. Closing the Bank. Deficiencies, 1. Discrepancies. Frauds. Government, The. Interest. Killiney Savings Bank. National Debt Office. Pass Books. Payments. Pratt, Mr. Todd. Receipts and Payments. Repayments. Trustees. Unsatisfied Claims.

Deposits (Caffe-street Bank). Statement of the Committee that they find, that though in 1831 public confidence in the bank was somewhat shaken by the discovery of the frauds committed by Mr. Dunn, the deposits subsequently increased, *Rep.* 3.—Statement of the amount of deposits received at the bank on the 15th June 1840, and amount paid into the Bank of Ireland; examination relative to a deficiency of 206*l.* 10*s.* 2 between those payments as received by witness, *Mayne* 418-453. 456-491.—Amount of deposits on the 5th November 1845; reason why this amount does not appear to have been paid into the Bank of Ireland, *Mayne* 1100-1111.—During the run on the savings bank no lodgments were ever made, *ib.* 1105.—Amount of deposits received on the 10th November 1845; payments of the whole amount into the Bank of Ireland, *ib.* 1112-1115.—Evidence relative to the amount of deposits received at the savings bank, and the amounts paid into the Bank of Ireland during November 1844, and July 1847, *ib.* 1115-1245.—Irregularities committed by the Caffe-street Savings Bank in receiving deposits; instance of the case of Mrs. Brady, who held two deposit books, *Porter* 1467, 1468.

See also Accounts, 2. Bank of Ireland. Forfeited Deposits. Frauds. Slip Book. Transfer of Deposits.

Discrepancies (Caffe-street Bank). Witness can give no explanation as to the discrepancies in the sums noticed for and the sums drawn, *Mayne* 233, 234. 272-277.—Witness cannot give any explanation as to the amounts which were drawn out of the Bank of Ireland on the 28th December 1842, and 19th April 1843; viz., 5,485*l.* 2*s.* 7*d.* at the former date, and 2,000*l.* 12*s.* 4*d.* at the latter date, the respective amounts of which ought to have been 1,685*l.* 2*s.* 7*d.*, and 1,120*l.* 12*s.* 4*d.*, *For* 675-694. 787-798.—Witness can in no way account for the discrepancy of 3,000*l.* in the amount paid into the Bank of Ireland during Mr. Hughes's absence on account of illness, between November 1843 and March 1844, and the amount received from depositors, and which ought to have been paid in, *ib.* 695-718. 734-736. 760-786. 803-828.—Witness can give no account of the discrepancy between the sums received from depositors and the sums paid into the Bank of Ireland, as appears by their receipts, between the 5th and 19th November 1845, *ib.* 831-849. 870-889.—Witness cannot give any explanation as to a draft having been drawn on the 17th January for 2,298*l.* 10*s.* 1*d.*, which it appears by the repayment book that it was only drawn for 1,498*l.* 10*s.* 1*d.*, *ib.* 902-916.—Nor can he explain why, on the 10th February 1841, a draft was drawn for 2,488*l.* 19*s.*, while the sum paid to depositors was only 2,088*l.* 19*s.* 1*d.*, *ib.* 917-923.—Witness cannot in the least account for various other similar transactions in the same year, *ib.* 924-936.—Young Mr. Hughes had nothing to do with these transactions, *ib.* 937-941.

See also Bank of Ireland. Cheques. Deficiencies. Misappropriation of Funds. Payments.

Disputed Claims. The disputed claims on the Caffe-street bank, or the claims arising out of the fraudulent transactions previous to 1831, never came into the new ledgers, *Mayne* 121.

See also Claims.

Dividends. See Closing the Bank. Killiney Savings Bank. Tralee Savings Bank.

Drafts. See Cheques.

Dunn, Mr. Observations of the Committee on the defalcations of Mr. Dunn; large deficiency discovered in 1831 owing to the misconduct of the registrar, who absconded, *Rep.* 3.—The amount of Mr. Dunn's defalcation in 1831 was 30,000*l.*, in 1848 the deficiency was upwards of 60,000*l.*; witness cannot say what became of the difference, *For* 585-594.—Abstract accounts of sums of money received by William Bruce Dunn, late registrar and cashier (so far as same has been ascertained), from various persons to lodge to their credit in the bank, which sums he converted to his own

Dunn, Mr.—continued.

own use, and never opened any account for them in the bank books, but gave them pass-books issued by himself, acknowledging the receipt of the money, and which the bank is now called upon to pay, *App.* 110, 111.

See also *Claims*. *Car, Mr. Row.* *Friends.* *Investigation of Accounts.*

E.

Earnings. See *Day Book*.

Errors. See *Accounts*, 2.

Examination of Accounts. Examination of the books of the Caffo-street bank in 1831 by Mr. Byrne to ascertain the state of the bank, *May* 511-518—Manner in which the accounts of the savings bank were examined and signed, *Sept.* 1535, 1536.

See also *Assets of Accounts*.

F.

Feldman. See *Auchterarder Savings Bank.* *Closing the Bank (Caffo-street).* *Kilbarney Savings Bank.* *Trade Savings Bank.*

Farran, Mr. Joseph. Opinion that Mr. Farran, a trustee of the Caffo-street bank, is from his age and infirmities incapable of attending the Committee, *Porter* 1475-1479—Signature of all the accounts of the bank by Mr. Farran between 1843 and 1845; he never attended any meetings of the Board during that period, *Sept.* 1536-1537—Impossibility of Mr. Farran attending the Committee from his advanced age, *ib.* 1539, 1533—Copy of Letter from Mr. Joseph Farran to Mr. George Alexander Hamilton, M.P., dated 27 June 1850, enclosing a medical certificate of his inability to attend and give evidence before the Committee, *App.* 128—See also *Claims*.

Forfeited Deposits. Extract from the minutes of the Caffo-street Savings Bank, dated 5 June 1838, Rev. W. S. Fox in the chair, authorizing the payment of certain awards of Mr. Tidd Pratt out of the surplus funds arising from the forfeited deposits, *App.* 95—Extract from the minutes, dated 6 June 1838, Mr. Samuel Bodley in the chair, authorizing the further application of forfeited deposits to meet the payment of the awards of Mr. Tidd Pratt, *ib.* 98.

For, Rev. Smyth Whitlow. (Analysis of his Evidence.)—Trustee of the Caffo-street Savings Bank; part taken by witness as the affairs of the bank, 645-650—No pass-book between the Bank of Ireland and the savings bank was ever exhibited at the meetings of the trustees; witness never saw such a pass-book, 651-655—The only evidence that the money was paid in to the credit of the trustees were the bank receipts; the cashier kept the receipts; witness does not know where they now are, 656-659—Witness was constantly in the habit of signing cheques upon the Bank of Ireland; the only authority upon which he signed was the book-keeper's statement of what was required for the next day's disbursements, 662-669—Particulars relative to witness's attendance at the bank in 1843; 670-674—Witness cannot give any explanation as to the amounts which were drawn out of the Bank of Ireland on 28th December 1843 and 19th April 1843, viz. 2,485*l.* 2*s.* 7*d.* at the former date, and 2,020*l.* 12*s.* 4*d.* at the latter date, the respective amounts of which ought only to have been 1,685*l.* 2*s.* 7*d.* and 1,190*l.* 12*s.* 4*d.*; 675-694, 787-798.

Witness can in no way account for the discrepancy of 3,000*l.* odd in the amount paid in to the Bank of Ireland during Mr. Hughes's absence on account of illness between November 1843 and March 1844, and the amount received from depositors, and which ought to have been paid in, 695-718, 734-738, 760-786, 803-828—Assertion made by witness that the accounts were kept regularly, and the money paid in to the bank during Mr. Hughes's absence, 695-718, 726-728, 734, 760-786, 803-828—No agent was appointed during Mr. Hughes's absence; Mr. Robinson the assistant book-keeper acted for him, 705—Witness is not aware that the Bank of Ireland refused to take any money to the credit of the Commissioners for the National Debt without its being paid in by an agent regularly appointed, 706-708—If this were the case it will account for the money not being regularly paid in during Mr. Hughes's absence, and the money must have been kept in the safe, of which witness supposes Mr. Robinson must have had the key, 709, 717-726, 730-732, 760-786, 803-828.

No cheque was ever signed without a written statement of what it was wanted for; this was written on a slip of paper; Mr. Farran always kept these slips of paper, 737-739, 755, 758, 799-802—There was no minute of them kept in any book, 740-747—Witness had no suspicion of any one connected with the bank in 1844; 748-649.

Report, 1890—continued.

For, Rev. Smyth Whitlaw. (Analysis of his Evidence)—continued.

750—The new house was built in 1841 or 1842; witness does not know whether the amounts paid on account of the building appear in the minute book, but they ought to be there, 751-754—Witness does not know what became of the cheques after presentation at the Bank of Ireland, 757, 758—Witness does not think that the balance at any particular time at the Bank of Ireland to the credit of the savings bank was ever shown to the trustees; it was perhaps mentioned at the annual meetings for the public accounts, 759—Witness can give no account of the discrepancy between the sums received from depositors and the sum paid into the Bank of Ireland, as appears by their receipts, between the 5th and 10th November 1845; 831-849, 870-889—Witness cannot in any way account for the appearance of a receipt for 1,151 £ 3 s. on 17 July 1847, of which sum no account appears in the books of the Bank of Ireland, 850-869.

A report was always made by Mr. Hughes of the state of the bank at the annual general meeting, on the last Wednesday in February, 890-899—Witness recollects the committee reporting, in 1899, that they "think it right to apprise the trustees and managers that there does not remain at present any unsatisfied claims upon their institution, whether from depositors or other persons who had lodged their money, or otherwise, during the periods previously to the year 1831;" meaning of this statement, 899-901—Witness considers it means all the awards, illegal and others, 897-901—Witness cannot give any explanation as to a draft having been drawn on 13 January for 2,298 £ 10 s. 1 d., when it appears by the repayment book that it was only drawn for 1,498 £ 10 s. 1 d.; 902-916—Nor can he explain why on the 10th February 1841, a draft was drawn for 5,488 £ 19 s., while the sum paid to depositors was only 2,288 £ 19 s. 1 d.; 917-923—Witness cannot in the least account for various other similar transactions in the same year, 924-926—Young Mr. Hughes had nothing to do with those transactions, 927-941—The elder Mr. Hughes is not in a fit state of health to attend before this Committee, 931-941, 1035-1040—If the cheques were drawn in excess the excess must have remained in old Mr. Hughes' hands, 942-944.

Mr. Pratt's awards in 1831 were all paid by drafts, ordered by the committee, of which no account was kept; they were all paid by 1839, including the illegal awards, 945-955—After 1843 Mr. Hughes, jun. stood in the same position in the bank as his father had done, therefore for any draft drawn in excess after that date the cash would come into his possession, 956-974—Witness's opinion was that the account which was given in by Mr. Mayne, as the account of the liabilities of the bank, on 30 November 1844, was correct, but never asked to see it, nor did any of the trustees see it, 975-984, 995-1000—The amount of Mr. Dunn's defalcation in 1831 was 30,000 £; in 1848 the deficiency was upwards of 60,000 £, witness cannot say what became of the difference, 985-994—Witness was a trustee in 1847; amount of the deficiency in that year, 1001-1019—Reasons why witness's impression has been, ever since Mr. Byrne examined the accounts in 1831, that the Government would be answerable for the deficiency whenever the crash came, 1023-1035.

For, Mr. Smyth Whitlaw. In all the knowledge of the affairs of the Cuffe-street Bank Mr. Smyth Whitlaw Fox was looked upon as the alpha and omega, Porter 1483—Statement made by Mr. Smyth Fox that the accounts of the Cuffe-street Bank were kept separate and secret by the Commissioners of the National Debt, Smyth 1508, 1509.

See also Management of the Bank.

Frauds. Witness had no suspicion of any one connected with the bank in 1844, For 748-750—Explanation as to certain frauds committed at the savings bank by forcing the depositors to withdraw their money and make cash lodgments, thus depriving them of a portion of interest, Porter 1480, 1481—Synopsis of the frauds committed by the late cashier on the St. Peter's parish savings bank, so far as same have been discovered, App. 110.

See also Cheques. Claims. Deposits. Disputed Claims. Investigation of Accounts. Misappropriation of Funds. Monthly Returns.

Funds. See Awards. Misappropriation of Funds.

G.

Government, The. Statement of the Committee that there does not appear any probability of obtaining from the trustees or otherwise any sum adequate to cover the losses of the depositors, Rep. 4—And while they cannot admit the existence of any legal liability on the part of Her Majesty's Government, they recommend the case of the depositors in the Cuffe-street Bank to the favourable consideration of Her Majesty's Government, with a view to the adoption of some measure which should at least mitigate the extent of their loss, ib.—Reasons why witness's impression has been, ever since Mr. Byrne examined the accounts in 1831, that the Government would be answerable for the deficiency whenever the crash came, For 1020-1035.

See also Chancellor of the Exchequer. Deficiencies, 1.

Government

Government Account. Witness never prepared a Government account on the part of the Cuffe-street Bank, nor ever saw one until after the bank closed, *Hughes* 1073-1081.

II.

Hughes, John Esmond. (*Analysis of his Evidence.*)—Delivers in the pass-books between the Cuffe-street Savings Bank and the Bank of Ireland; also the drafts and receipts; reason why these have not been previously given up, 1041-1053.—Appointment of witness as cashier to the savings bank in April 1844; nature of his duties, 1054-1063.—Payment of all monies received at the savings banks from the public into the Bank of Ireland, with the exception of deductions for expenses, 1064-1070.—Explanation as to the deduction of expenses from the receipts of the bank instead of cheques being drawn for the amount, 1066-1070.—The accounts for the Commissioners of the National Debt in 1844 was not made up by witness but by his father, 1071-1073.—Witness never prepared a Government account, nor ever saw one until after the bank closed, 1073-1081.—Mr. Mayne never delivered an abstract of the bank accounts to witness in 1844, nor was witness ever party to any alteration of accounts, 1074-1081.

[*Second Examination.*]—Circumstances under which witness was appointed cashier in 1844; 1084.—Attention paid by witness's father to the duties of agent at the bank, 1084-1086.—Witness was no party to any alteration in the account as supplied by Mr. Mayne sent to the Commissioners of the National Debt in 1844; 1087-1089.—Reference to an entry in the book of Mr. Robinson, the second book-keeper, in April 1844; witness knows nothing whatever of the transaction, 1090-1095.—Amount of deposits received on the 5th November 1845; reason why this amount does not appear to have been paid into the Bank of Ireland, 1100-1111.—During the run on the savings bank no lodgments were ever made, 1105.—Amount of deposits received on the 10th November 1845; payment of the whole amount into the Bank of Ireland, 1112-1115.

Evidence relative to the amounts of deposits received at the savings bank, and the amounts paid into the Bank of Ireland during November 1845 and July 1847, 1119-1145.—Witness cannot explain the discrepancies in the amounts, or how the surplus receipts were appropriated, 1144-1145.—Witness never appropriated any portion of the bank funds to his own use; he duly accounted with the trustees for all sums received and paid in all amounts to the Bank of Ireland, 1106-1217.—Examination as to the missing receipts of the Bank of Ireland for the sum of £1,511 1 3s. paid into the bank in July 1847; 1159-1241. 1379. 1416-1423. 1428-1431.—Particulars as to the meeting of the trustees of the bank; the pass-books were always produced at the meetings, and were generally checked with the receipts, 1223. 1246-1254.—Impossibility of Mr. Smyth Fox being ignorant of the existence of the pass-books, 1255.—Entry of all deposits received by witness in the slip-book, 1256.

During the run upon the bank in 1845 lodgments were not regularly made in the Bank of Ireland; nature of the account kept of the money paid in during that time, 1257, 1258.—Amount of repayments made to the depositors on the 3d May 1848; and amount withdrawn from the Bank of Ireland to meet these payments, 1259-1276. 1342-1376.—The amount of notice given for repayment of deposits for the 10th May 1848 exceeded the amount to the credit of the trustees, confused payment of certain of these sums on the 9th May, when the bank closed, 1277-1290. 1343-1351.—Explanation as to the manner in which the lodgments were made in the Bank of Ireland, and receipts taken for the amount, 1291-1331. 1380-1415. 1424.—Various extraordinary expenses incurred by the bank during the run; nature of those expenses; no account was kept of those expenses as any of the books of the bank, 1332-1340.—How far witness considered himself responsible for the misapplication of the funds of the bank, 1341.—Witness is not aware of any minute-books or papers connected with the bank that have not been handed over to the Committee, 1377, 1378.—Impossibility of witness's further attending the Committee from his bad state of health, 1425-1428.—The missing receipt of July 1847 for the £1,511 1 3s. was produced before Mr. Thomas Dodd Smith, one of the trustees, 1429-1431.

[*Third Examination.*]—Reference to the slip-book, which proves the receipt of the £1,511 1 3s. by witness, 1450-1455.—Witness is unable to say what became of that amount; it may have been applied in the repayments, but witness cannot find any record of it, 1456, 1457.

Hughes, Messrs. Statement of the Committee that the management of the Cuffe-street Savings Bank, both previous to and since the year 1831, is liable to grave suspicion; and they have felt it their duty to recommend the institution of criminal proceedings against Mr. John Hughes and Mr. John E. Hughes, the registrars or secretaries, *Rep.* 4, 5.—Assistance given by Mr. Hughes in receiving money of the depositors at the savings bank, *Mayne* 401, 402.—The elder Mr. Hughes is not in a fit state of health to attend before the Committee, *For* 931-941. 1036-1040.—Impossibility of witness's further attending upon the Committee, from his bad state of health, *Hughes* 1425-1428.

See also *Account*, 1. 2. *Agent*, *Balance*, *Bank of Ireland*, *Cash*, *Discrepancies*, *Management of the Bank*.

I.

Illegal Claims. See *Awards*.

Instructions. Frequency of witness's receiving instructions from the trustees, or manager of the Cuffe-street bank; witness seldom obtained written instructions from the Board, *Mayne* 455. 616-618.

Interest. Amount of interest received by the Cuffe-street savings bank, and amount paid to the depositors, *Mayne* 383-384.—Tabular statement of the interest account of the Cuffe-street Savings Bank, from 30th November 1830 to 8th May 1848, *App.* 92, 93.

See also *French*.

Investigation of Accounts. Statement of the Committee that no proper investigation appears to have taken place with regard to the amount of claims which had been cancelled by the dishonesty of Mr. Dunn, *Rep.* 3.—Report of Mr. David Martin to the Chancellor of the Exchequer, dated 14th December 1849, relative to his investigation into the accounts of the late St. Peter's Parish Savings Bank in Cuffe-street, Dublin, *App.* 85 et seq.

See also *Accounts*, 4. *Audit of Accounts.* *Examination of Accounts.* *Pratt*, Mr. *Tidd*.

K.

Killarney Savings Bank. Opinion of the Committee that the case of the Killarney Bank has no peculiar features differing from those of other banks which have suffered from the dishonesty of their actuaries, *Rep.* 5.—The bank closed in 1848 with a liability to depositors of 25,000 L. and available assets of 16,583 L. 4s.—A subscription of 1,200 L. has enabled the trustees to pay some of the poorest depositors 50s. in the pound; and there is some property of the late actuary still in the hands of the trustees, &c.

See also *Trustees*.

L.

Lannigan, Mr. Robert. Letter from Mr. Robert Lannigan and others to Mr. Richard Wright, secretary to the St. Peter's Savings Bank, dated 14th May 1830, pressing the managers to ascertain from the depositors pass-books, "how much they owed," *App.* 125.—Letter from Mr. Lannigan to the secretary, dated 5th February 1831, to the same effect, &c.

Ledgers. Manner in which the various receipts and payments of the Cuffe-street bank were posted into the ledger by witness; check adopted by which to ascertain that all entries had been made, *Mayne* 493-510.—See also *Slip Book*.

Legal Claims. See *Awards*.

Legal Proceedings. In almost every preceding case of the failure of savings banks, a recourse to legal measures has been rendered unnecessary by the voluntary contributions of the trustees and others, *Rep.* 5.—It is rather to the exertions of those who take an interest in the welfare of their blemished neighbours than to any legal enactments that the Committee look for the proper conduct and well-doing of those institutions, &c.

See also *Awards*. *Trustees*.

Liabilities (Cuffe-street Bank). Witness's opinion was that the account which was given in by Mr. Mayne as the account of the liabilities of the bank on 30 November 1844 was correct, but never asked to see it, nor did any of the trustees see it, *For* 975-974. 995-1000.—Statement showing the liabilities, assets, and apparent deficiency of the Cuffe-street savings bank on 30 November, in the years 1830, 1831, 1833, 1834, 1845, 1846, and 1847, *App.* 85. 88-91. 94-105.

See also *Accounts*, 3. *Assets and Liabilities.* *Killarney Savings Bank.* *Traders Savings Bank*.

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M.

Management of the Bank (Cuffe-street, Dublin). The amount of the deficiency does not give witness an unfavourable impression as to the management of the bank, *Mayne* 381.—Explanation as to the deduction of expenses from the receipts of the bank, instead of cheques being drawn for the amount, *Hughes* 1066-1070.—Various extraordinary expenses incurred during the time; nature of these expenses; no account was kept of them in any of the books of the bank, *ib.* 1332-1340.—Although witness was connected with the management of the bank, he was kept in entire ignorance of the details of the affairs of the bank; the whole matter appeared to be conducted by Mr. Hughes and Mr. Fox, *Smith* 1611-1615.—Opinion that the great errors and deficiencies in the accounts of the bank were attributable to the mismanagement of certain parties connected with the bank; parties on whose witness's suspicion rest, *ib.* 1652-1678.

See also *Instructions. Meetings of the Board. Misappropriation of Funds. Salaries. Trustees.*

Martin, Mr. David. Report of Mr. David Martin to the Chancellor of the Exchequer, dated 14 December 1849, relative to his investigation into the accounts of late St. Peter's parish savings bank in Cuffe-street, Dublin, *App. 85 of seq.*

Mayne, Robert Scobrough. (*Analysis of his Evidence.*)—Book-keeper in the Cuffe-street savings bank; has held the office since the beginning of the year 1831; 1, 2.—Appointment of witness by a minute of the Board; nature of the duties of book-keeper, 3-5.—System of book-keeping pursued in the bank; description of the books used; witness is not aware whether a cash book was kept by the cashier, 6-21.—Detail of the accounts pursued, both with regard to the receipt of money and the payment of money; nature of the books used, 22-28.—On the stoppage of the bank witness had the custody of all the books, but no other documents, 29-34.—The Bank of Ireland was the treasurer to the Cuffe-street savings bank; witness is not aware of the existence of a pass book between the Bank of Ireland and the savings bank, 35-63.

Part taken by witness in making up the accounts annually for the Commissioners of the National Debt, 68, 69.—Mr. Mayne was book-keeper to the bank previous to witness's appointment, 68-70.—Particulars relative to the cheques drawn by the savings bank on the Bank of Ireland, and the application of the money to the repayment of depositors; manner in which the accounts of these transactions were kept, 72-92.—Observations as to the discrepancies which appear in the books of the savings bank, between the amounts drawn from the Bank of Ireland and the amounts paid to the depositors, 93-107.—The awards of Mr. Todd Pratt were never entered in witness's set of books; they were paid by drafts of the trustees, 107, 108.—New set of books kept in the office on witness's appointment as book-keeper in 1831; how far the old books have been used since that period, 109-121.

The awards of Mr. Todd Pratt had no reference to the depositors in the old ledgers of the savings bank, 112-116.—Nature of the awards made by Mr. Todd Pratt; they were of two kinds, the first and greatest were persons who never had accounts in the bank at all, or whose accounts were previously drawn, from the old ledgers who had had accounts and fraudulently closed, 116-118.—Explanation as to the pass books held by the depositors; new pass books granted in 1831; 120.—The disputed claims, or the claims arising out of the fraudulent transactions previous to 1831, never came into the new ledgers, 121.

Manner in which the account submitted to the National Debt Office in 1831 was made out, 122-126.—Deficiency in the funds of the savings bank in 1831 to meet the amounts due to the depositors, 126, 127.—Reference to two cheques, one dated 12 July 1831 for 500*l.*, and on 10 August for 605*l.* 8*s.* 4*d.*; witness is not aware how those amounts were appropriated, they were drawn without notice from witness, 130-143.—Witness knows nothing of the amount drawn by the savings bank from the National Debt Office, 144-150.—Manner in which deposits were made by the savings bank with the Bank of Ireland; nature of the receipts given for each lodgment, 151-173.—Explanation as to the application of various large sums of money drawn by the trustees of the savings bank; they might have been paid to persons that had claims on the bank similar to those that Mr. Pratt awarded, 174-206, 225-228.

Large sums of money paid by the trustees to parties according to the principle acted upon by Mr. Pratt in making his awards, *see*, 217-219.—The report of the superintending committee of 27 February 1839, "that all the claims on the savings bank had been satisfied," was not intended to include the depositors and those whose accounts had been fraudulently made away with by Mr. Pratt; it only referred to the special claims, 229-230.—The depositors previous to 1831, who had not been the subjects of award by Mr. Todd Pratt, had their balances transferred into the new ledgers, and the repayment of their balances took place in the ordinary course of business, 231-233.

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Manner in which the cash balances of the savings bank were kept by Mr. Hughes, 299-334.—Witness can give no explanation as to the discrepancies in the sums noticed for and the sums drawn, 293, 294, 279-277.—Certificate given of the amount required for making repayments to the depositors, 294.—Manner in which the cheques of the savings bank to meet the repayments were drawn and signed by the trustees, 294-295.—Witness is not acquainted with the transactions between the savings bank and the Bank of Ireland; Mr. Hughes is cognizant of them, 297-271.—The Committee have in their custody all the books in existence in relation to the savings bank, 278-281.

Explanation as to the balance remaining in witness's hands at the closing of the bank; manner in which appropriated, 281-342.—Manner in which the annual accounts for the Commissioners of National Debt were made up; part taken thereto by witness and part taken by Mr. Hughes, 343-360.—Arrangements made between the managers of the savings bank and the Government relative to the deficiency in the funds of the bank in 1831; 361, 362.—The annual accounts were always made out so as not to show the actual deficiency; endeavour made to show that the liabilities of the bank were less than they actually were, 361, 362-369.—The whole of the difficulties of the bank arose from the deficiency of 1831; it is the accumulation of that debt that is the incubus now, 363-376, 385-399.

No steps have been taken to ascertain what amount the bank really owed to the depositors, except those taken in conjunction with Mr. Pratt, 377-381.—The amount of the deficiency does not give witness an unfavourable impression as to the management of the bank, 381.—Amount of interest received by the savings bank, and amount paid to the depositors, 382-384.—Witness can give no information as to how the great loss occurred, or what became of the monies which were drawn, and which were not accounted for in the bank books, 387.—Remarks relative to the apparent surplus referred to in the savings bank account to the Commissioners for the National Debt, 398-400.—Manner in which the repayments were made to depositors, 400.

[Second Examination].—Assistance given by witness to Mr. Hughes in receiving money of the depositors at the savings bank, 401, 402.—Particulars as to the slip-book kept at the bank; nature of the entries made therein, 403-409.—Detail of the progress of entries made in the slip-book until they appeared in the ledger, 410-430.—Statement of the amount of deposits received at the bank on the 15th June 1840, and amount paid into the Bank of Ireland; examination relative to a deficiency of £681.10 s, between those payments so received by witness, 418-423, 426-499.—Names of the trustees most conversant in their attention to the working of the institution in 1840; 454, 613-622.—Frequency of witness receiving instructions from the trustees or manager individually; witness seldom obtained written directions from the Board, 455, 616-618.—Remarks relative to the minute books of 1840 and 1841, and the entries contained therein, 456-458.—Particulars as to an error in the day book of the savings bank under the date of 15 June 1840; 474-484.

Mr. Hughes was cashier to the savings bank from January 1831 to the time of the bank failing, 492.—Manner in which the various receipts and payments of the bank were posted in the ledger by witness; check adopted by which to ascertain that all entries had been made, 493-510.—Examination of the books of the savings bank in 1831 by Mr. Byrne to ascertain the state of the bank, 511-518.—Estimated amount of the deficiencies of all kinds in the bank up to 1831, as made out by witness, 519, 520, 554-579.—Evidence relative to the payment of the claims of depositors whose funds had been fraudulently abstracted by Mr. Denn; amount of the deficiency created by the payment of those claims, 521-584.

Reference to the report of the superintending committee of 1839, stating that "no unsatisfied claims remained unpaid," at which time there was a large deficiency in the funds of the bank, 522.—Mentions attached by witness to that statement; how far witness can reconcile the two statements that there were no unsatisfied claims, whilst there was an acknowledged deficiency in the funds, 523-523.—Payment of all disputed claims upon the bank previous to 1839; this is to what the report of the superintending committee alluded in speaking of the payment of all claims, 527-531, 571-573.

The whole of the claims paid subsequently to 1839 passed regularly through the books of the establishment; the large amounts withdrawn from the Bank of Ireland subsequently to 1839, of the expenditure of which no explanation appears in the books, could not have been applied in satisfying any of those claims, 534-543, 574-594.—Description of the officers of the savings bank; impossibility of any considerable transactions taking place in the payment of money without witness's knowledge, 585-589.—Opinion that the large sums of money withdrawn from the Bank of Ireland in 1843 were never paid to parties at the savings bank; witness has no idea what became of them, 590, 591.—Particulars relative to the average amount of the current expenses of the savings bank for officers' salaries and management, 592-595.—The large amount withdrawn

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withdrawn from the Bank of Ireland, and unaccounted for, could not have been to meet this expenditure, 598-599.

The annual accounts of the savings bank were never exhibited in the office as directed by the Act; they would not bear the public scrutiny as they must have shown a deficiency, 597, 598.—Remarks as to the agreement between the savings bank and the Commissioners of National Debt relative to the deficiency in the bank accounts, 599-607.—The annual accounts furnished by the trustees to the Commissioners were never published, 603.—Amount of security given by witness on his appointment as book-keeper to the savings bank; validity of his securities, 608-612.—Frequency of depositors being paid their required amounts in cases of emergency without the ordinary week's notice being given, 643-649.—Abstract of accounts of the savings bank made out by witness on 20 November 1844, alterations made therein previous to being furnished to the Commissioners of National Debt, 630-645.—Classification of the accounts of the savings bank in 1844, showing the amount of deposits in the bank at that period, p. 96.

[Third Examination.]—Observations relative to the transmission of the accounts of the bank, in 1844, to Mr. Hughes, sen., 1088, 1089.

Mayne, Mr. See *Abstract of Accounts.*

Meetings of the Board (Cuffe-street Bank). Monthly meetings of the Board to transact the affairs of the bank; witness was never summoned to these meetings, Sayk 1545, 1546.

Minute Books. Remarks relative to the minute books of the Cuffe-street bank for 1840 and 1841, and the entries contained therein, *Mayne* 456-458.—Witness is not aware of any minute books or papers connected with the bank that have not been handed over to the Committee, *Haghey* 1377, 1378.—See also *Cheques.*

Minutes of Proceedings. Attendance of witness at the meetings of the Board of the Cuffe-street bank; the minutes of every preceding meeting were always read, *Sayk* 1597-1609. See also *Accounts*, 4.

Misappropriation of Funds (Cuffe-street Bank). Witness can give no information as to how the great loss occurred, or what became of the monies which were drawn, and which were not accounted for in the bank books, *Mayne* 387.—Opinion that the large sums of money withdrawn from the Bank of Ireland in 1843 were never paid to parties at the savings bank; witness has no idea what became of them, *ib.* 550, 551.—The large amount withdrawn from the Bank of Ireland, and unaccounted for, could not have been to meet the current expenses of management, *ib.* 552-556.—Witness cannot explain the discrepancies in the accounts, or how the surplus receipts were appropriated, *Haghey* 1114-1145.—Witness never appropriated any portion of the bank funds to his own use; he duly accounted with the trustees for all sums received, and paid in all the amounts to the Bank of Ireland, *ib.* 1205-1217.—Witness is unable to say what became of the £151 £ 3 s.; it may have been applied to the repayments, but witness cannot find any record of it, *ib.* 1456, 1457.

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Monthly Returns. Opinion that the monthly returns which the Cuffe-street bank made to the National Debt Office will either evidence that fraud and action were resorted to in the manufacture of those statements, or else the thing must be detected how the money escaped, *Porter* 1466, 1467.—Nature and form of the monthly returns made by the savings bank to the National Debt Office, *ib.* 1467.

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National Debt Office. Statement of the Committee that in consequence of the discovery of the deficiency in 1831, the position of the Cuffe-street bank was brought under the notice of the Commissioners for the Reduction of the National Debt, *Rep.* 3.—Statement of the Committee that the trustees and managers of the savings bank did not comply with the provisions of the Act of Parliament in furnishing their accounts annually in due time to the Commissioners for the Reduction of the National Debt, *ib.* 4.—And that no accounts whatever were furnished to the Commissioners in 1839 or 1840, and that the accounts furnished in subsequent years were not only full of gross errors, but knowingly understated the amount of the growing deficiency, *ib.*—The account furnished to the Commissioners in 1833 showed a deficiency of 3,671 £ 12 s. 9 d., which fluctuated largely in the following years, until the account furnished to the Commissioners in 1847 exhibited a deficiency of 39,022 £ 16 s. 1 d., *ib.*—In 1838, when the acknowledged deficiency amounted to 25,371 £ 6 s. 6 d., the affairs of the bank were for a second time brought

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under the notice of the Commissioners, who recommended that a thorough investigation of the accounts should take place, which the trustees positively refused to allow, *Rep. 4*—In 1845 the state of the bank was again brought under the notice of the Commissioners and the Chancellor of the Exchequer, when the trustees were recommended to close the bank, which they refused to do, *ib.*

Opinion of the Committee that the only powers vested by law in the Commissioners, for the correction or repression of misconduct in the management of savings banks, appear to be, 1st, that of giving notice in the "Gazette" in the event of irregularity in the furnishing the annual accounts; 2d, closing the account of the bank in default with the Commissioners; in other words, refusing to receive further income on account of such bank, *Rep. 4*—It appears that the Commissioners did not exercise these powers, partly from a misgiving as to the effect of an exercise of their authority, and partly from an unwillingness to run the risk of creating a discredit of these institutions, *ib.*—Although the Committee are inclined to allow due weight to the considerations which they believe influenced the Commissioners in 1838 and in 1845 in the course which they pursued, still they cannot but feel that as regards the depositors, who are principally of the poorer classes, a different course would have prevented the total loss of all their savings, *ib.*—No adequate power is vested in the Commissioners for the Reduction of the National Debt to check abuses and mismanagement, however indisputable, *ib. 5*—Witness knows nothing of the amount drawn by the savings bank from the National Debt Office, *Mayes 144-150*.

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Surplus.

Notices for Repayment. The amount of notices given for repayment of deposits for the 10th May 1848 exceeded the amount to the credit of the trustees; confused payment of certain of these sums on 9th May, when the bank closed, *Hughes 1277-1290. 1349-1361*.

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O.

Offices. Description of the offices of the savings banks; impossibility of any considerable transactions taking place in the payment of money without witness's knowledge, *Mayes 585-589*—The new house was built in 1841 or 1842; witness does not know whether the amounts paid on account of the building appear in the minute book, but they ought to be there, *For 751-754*.

P.

Pass Books. Explanation as to the pass books held by the depositors in the Cuff-street new pass books granted in 1831, *Mayes 120*—No pass book between the Bank of Ireland and the savings bank was ever exhibited at the meetings of the trustees; witness never saw such a pass book, *For 651-665*—Witness delivers in the pass books between the Cuff-street savings bank and the Bank of Ireland; also the drafts and receipts; reason why these have not been previously given up, *ib. 1041-1053*—Particulars as to the meeting of the trustees of the bank; the pass books were always produced at the meeting, and were generally checked with the receipts, *ib. 1223. 1246-1254*—Impossibility of Mr. Smyth being ignorant of the existence of the pass books, *Hughes 1355*.

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Porter, William Henry. (Analysis of his Evidence.)—Communication had by witness with the Chancellor of the Exchequer, in 1845, upon the subject of the Cuff-street savings bank, 1458-1463—Reference to the statement made by Mr. Keating Clay, in his evidence before the Committee, in 1848, of what passed during that interview; this statement is not entirely correct, 1464-1466. 1484-1490—Remarks relative to the alterations made in the rules of the savings bank, with respect to the appointment of auditors for the examination of the accounts, 1465. 1484-1490—Statement as to the errors contained in the classified accounts of the bank, 1466—Opinion that the monthly returns which the savings bank made to the National Debt Office will either

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Porter, William Henry. (Analysis of his Evidence)—continued.

evidence that fraud and fiction were resorted to in the manufacture of those statements, or else the thing must be detected how the money escaped, 1466, 1467.

Nature and form of the monthly returns made by savings banks to the National Debt Office, 1467—Illegalities committed by the Cuffe-street Bank in receiving deposits; instance of the case of Mrs. Brady, who held two deposit books, 1467, 1468—The run upon the Cuffe-street Bank, in 1845, was entirely from the want of confidence in the bank itself, and those concerned in its management, 1468—No steps were taken to close the Cuffe-street Bank after the interview with Mr. Goulburn, as he stated he did not possess the power, 1470—Opinion that Mr. Goulburn possessed the power of closing the bank, under an Act of 9 Geo. 4, as regards the furnishing of a monthly account to the National Debt Office, 1470, 1471.

Active exertions of Mr. Bernadot B. Smyth to obtain an account of the real condition of the savings bank, 1471-1474—Extent of the knowledge likely to be possessed by Mr. Ross Cox relative to the affairs of the Cuffe-street Savings Bank, as derived from Mr. Dunn, 1475—Opinion that Mr. Farran, a trustee of the savings bank, is, from his age and infirmities, incapable of attending this Committee, 1476-1479—Observations as to the attempt which has been made to baffie inquiry into the affairs of the savings bank, and to mix up innocent persons with the guilty, 1479, 1480—Explanation as to certain frauds committed at the savings bank by forcing the depositors to withdraw their money and make fresh lodgments, thus depriving them of a portion of interest, 1480, 1481—In all the knowledge of the affairs of the bank Mr. Smyth Whitlaw Fox was looked upon as the alpha and the omega, 1483.

Porter, Mr. See *Chancellor of the Exchequer.*

Postponed Claims. Case submitted to Mr. Tidd Pratt respecting the postponed claims, and copy of his answer thereto, dated 21 September 1831, App. 119—Papers showing that the trustees, notwithstanding the opinion of Mr. Tidd Pratt, did pay claims postponed, when no surplus had been ascertained, ib. 120-124.

Pratt, Mr. Tidd. Observations of the Committee on the proceedings of Mr. Tidd Pratt in 1831 on his investigation into the affairs of the Cuffe-street Savings Bank, and the recommendations made by him for settling the claim, Rep. 3—Opinion that Mr. Pratt did not consider himself authorised to investigate the affairs of the bank, ib.—The awards of Mr. Tidd Pratt were never entered in witness's set of books; they were paid by drafts of the trustees, Mayne 107, 108—The awards of Mr. Tidd Pratt had no reference to the depositors in the old ledgers of the savings bank, ib. 112-116.

See also *Awards.* *Payments.* *Postponed Claims.* *Trustees.*

Profit and Loss. Copy of the profit and loss account of the Cuffe-street Savings Bank to the 20th November 1848, App. 112, 113.

Public Notice. Copy of a notice, without date, taken from the wall of the passage through which the depositors of the Cuffe-street Bank had to pass, relative to the lodgment of the deposits in the Bank of Ireland by the trustees and managers, App. 126.

See also *Annual Accounts.*

Publication of Accounts. See *Annual Accounts.*

R.

Receipts and Payments. Detail of the course pursued in the Cuffe-street bank both with regard to the receipt of money and the payment of money; nature of the books used, Mayne 23-28—The only evidence that the monies were paid in to the credit of the trustees were the bank receipts; the cashier kept the receipts; witness does not know where they now are, Fox 608-606—There were two meetings in the week at the bank for the receipt and payment of money, Smyth 1544.

See also *Accounts.* 4. *Hughes, Messrs.* *Ledgers.* *Misappropriation of Funds.* *Pass Books.* *Payments.*

Reimbursements. Abstract of sums paid under the special orders of the Board from 20 November 1830 to the closing of the Cuffe-street bank in 1848, in reimbursement of amounts fraudulently withdrawn before the 20th November 1830, taken from repayment books and compared with Mr. Mayne's reports and the ledgers, App. 107—Abstract of sums paid under the special orders of the Board from 20 November 1830 to the closing of the savings bank in 1848, in reimbursement of amounts fraudulently withdrawn between 20 November 1830 and the day on which the late registrar absconded in February 1831, ib. 108—See also *Archibarder Savings Bank.*

Repayments. Manner in which the repayments were made to the depositors in the Cuffe-street bank, Mayne 400—Frequency of depositors being paid their required amounts

Report, 1850—continued.

Repayments—continued.

in cases of emergency without the ordinary week's notice being given, *Mayne* 523-529—Amount of repayments made to the depositors on 3 May 1848, and amount withdrawn from the Bank of Ireland to meet those payments, *Hughes* 1259-1276, 1342-1376—Rough memoranda which appear to relate to the transactions of the last day of repayment referred to before the Committee of 1849, *App.* 125, 126.

See also *Certificates*. *Cheques*. *Notices for Repayment*. *Payments*. *Receipts and Payments*.

Responsibility. See *Trustee*.

Robinson, Mr. Reference to an entry in the book of Mr. Robinson, the second book-keeper, in April 1844; witness knows nothing whatever of the transaction, *Hughes* 1050-1059.—See also *Agent*.

Rules and Regulations. Copy of the rules and regulations of the St. Peter's Savings Bank established in Cuffe-street, Dublin, as amended in May 1831, *App.* 114-117—Rough draft of minute, dated 6 June 1831, referring to the rules having been filed, *ib.* 118.

Run upon the Bank. Observations of the Committee on the reduction of the funds of the Cuffe-street bank by a severe and long protracted run at the end of the year 1845 and in the beginning of 1846, *Rep.* 3—The run upon the Cuffe-street Bank in 1845 was entirely from the want of confidence in the bank itself and those concerned in its management, *Poster* 1478.—See also *Bank of Ireland*. *Deposits*.

S.

Salaries (Cuffe-street Bank). Particulars relative to the average amount of the current expenses of the savings bank for officers' salaries and management, *Mayne* 552-556.

Savings Banks. Unsatisfactory state and working of the existing law in reference to savings banks, *Rep.* 5—Statement of the Committee that they have observed with much satisfaction that the Chancellor of the Exchequer has introduced a Savings Bank Bill, which is calculated to remedy several important defects in the existing law, and extends the responsibility of Her Majesty's Government to the depositors, *ib.*—The Committee therefore abstain from all observations on this part of the subject, farther than to state the conviction which this inquiry has forced upon them of the urgent necessity for further legislation, if these institutions, which have acquired of late years an extent and importance so little anticipated by the original founders of savings banks, are to preserve their hold on the confidence of the country, *ib.*

Signature of Cheques. Witness was constantly in the habit of signing cheques upon the Bank of Ireland; the only authority upon which he signed was the book-keeper's statement of what was required for the next day's disbursements, *Far* 667-669.

See also *Cheques*.

Slip Book. Particulars as to the slip book kept at the Cuffe-street bank; nature of the entries made therein, *Mayne* 403-409—Detail of the progress made in the slip book until they appeared in the ledger, *ib.* 410-430—Entry of all deposits received by witness in the slip book, *Hughes* 1256—Reference to the slip book which proves the receipt of the 1,351 l. 3 s. by witness, *ib.* 1459-1455.

Smyth, Bertrford B. (Analysis of his Evidence.)—Has been Manager and Trustee of the Cuffe-street Savings Bank, 1831, 1850—Witness became manager in the early part of the year 1842; 1833—When witness became manager he had no idea that there was any deficiency in the year 1831; he looked upon the bank as perfectly solvent, 1894, 1896—Circumstances under which witness became suspicious as to the solvency of the bank; exertions made to ascertain the true state of the affairs of the bank; opposition of certain parties to witness's inquiries, 1896-1907—Statement made by Mr. Smyth Fox, that the accounts of the Cuffe-street Bank were kept separate and secret by the Commissioners of the National Debt, 1908, 1909—Proposal of witness in 1843 that a public accountant should be employed to audit the bank accounts; opposition which this proposal met with; it was negatived by a majority on a division of the Board, 1910-1926.

Signature of all accounts of the bank by Mr. Farran between 1843 and 1845; he never attended any meetings of the Board during that period, 1926-1931—Impossibility of Mr. Farran attending before this Committee from his advanced age, 1932, 1933—All witness's exertions to ascertain the state of the bank accounts met with every obstruction short of personal violence; the minutes were all removed from the bank to the custody of Mr. Hughes, 1934-1936—Circumstances under which witness obtained a

copy

Smyth, Beresford B. (Analysis of his Evidence)—continued.

copy of the accounts of the bank; after this witness was treated with distrust by the managers, 1533-1541. 1543—Letter written by witness to the Chancellor of the Exchequer, dated 10th November 1845, forwarding the accounts of the Cuffe-street Bank, 1541, 1542.

There were two meetings in the week at the bank for the receipt and payment of money, 1544—Monthly meeting of the Board to transact the affairs of the bank; witness was never summoned to these meetings, 1545, 1546—Circumstances under which witness forwarded his letter of the 10th November by Mr. Porter, 1547-1550—Copy of witness's letter contained in the evidence taken before the Committee of Savings Banks, Ireland, in 1848, 1551—Witness's not receiving any reply to his letter to the Chancellor of the Exchequer gave him confidence in the affairs of the bank; witness considered that the debt of 1851 was a liquidated sum, and set it down as secured, 1552-1555—Extracts from the minutes of the savings bank, containing witness's proposition for auditing the accounts of the bank, 1555-1557.

Explanation of certain portions of witness's letter to the Chancellor of the Exchequer, of the 10th November 1845; 1559-1598. 1619-1640—Manner in which the accounts of the savings bank were examined and signed, 1595, 1596—Attendance of witness at the meetings of the Board at the savings bank; the minutes of every preceding meeting were always read, 1597-1602—Circumstances under which witness's suspicions of the state of the savings bank were first excited, 1603-1605. 1608-1610—Although witness was connected with the management of the savings bank, he was kept in entire ignorance of the details of the affairs of the bank; the whole matter appeared to be conducted by Mr. Hughes and Mr. Fox, 1611-1615.

After witness's failure of obtaining an investigation into the affairs of the bank by the appointment of an accountant, he communicated with the Chancellor of the Exchequer, who took no notice of the communication; after this witness became perfectly indifferent upon the subject, 1616-1618—It is witness's belief that more money was received from the depositors than was charged in the bank accounts, 1622-1639—Manner in which cheques were drawn and signed by the trustees of the savings bank; if the cheques exceeded the amount required for repayments a fraud must have been intended, 1641-1650.

Receipt of all sums of money drawn by cheques from the Bank of Ireland by Mr. Hughes the attorney, 1651—Opinion that the great errors and deficiencies in the accounts of the savings banks were attributable to the management of certain parties connected with the bank; parties on whom witness's suspicions rest, 1652-1678—Had the bank been closed at the time of witness's communication with the Chancellor of the Exchequer in 1845 witness is satisfied that there would have been 18 s. in the pound for the depositors, 1678.

Smyth, Mr. Beresford. Active exertions of Mr. Smyth to obtain an account of the real condition of the Cuffe-street bank, *Porter* 1471-1474.—See also *Pay Books*.

State of the Bank (Cuffe-street, Dublin). A report was always made by Mr. Hughes of the state of the bank, at the annual general meeting on the last Wednesday in February, *For* 890-895.—See also *Deficiencies*.

Stoppage of Banks. See *Anti-reorder Savings Bank*. Closing the Bank. *Killarney Savings Bank*. *Trillick Savings Bank*.

Sureties of Officers. Amount of security given by witness on his appointment as book-keeper to the Cuffe-street bank; validity of his sureties, *Mayer* 608-612.

Surplus. Remarks relative to the apparent surplus returned in the Cuffe-street savings bank account to the Commissioners for the National Debt, *Mayer* 398-400.

See also *Awards*. *Postponed Closure*.

T.

Trillick Savings Bank. Opinion of the Committee that the case of the Trillick Bank has no peculiar features differing from those of other banks which have suffered from the dishonesty of their trustees, *Rep.* 5—The Trillick Bank stopped in 1848 with liabilities to the extent of 36,768 £, and assets amounting only to 1,650 £, sh.—In the cases of Trillick and Killarney it is obvious that the operation of the law has produced results which all must concur in regretting, sh.

Transfer of Deposits. Form of a power of attorney to transfer deposits at the St. Peter's Saving Bank, Cuffe-street, Dublin, *App.* 117.

Transfer. See *Bank of Ireland*.

TRUSTEES, CUFFE-STREET BANK :1. *Generally.*2. *Papers laid before the Committee.*1. *Generally:*

Observation of the Committee that they think it due to the interests of public justice to call the attention of Her Majesty's Government to the conduct of several of the trustees in the discharge of the trust they had assumed, *Rep* 5.—The law prior to 1844 was intended to give the depositor a remedy against the trustee, in case of wilful neglect and default, &c.—In the *Tralee* case it has been shown that the difficulty of the legal enforcement of their claims by individual depositors is so great as to render the remedy rarely practicable, &c.—In 1844 the Legislature thought right to make an important change in the law, by which the trustees of savings banks were released from all liability, except where it was voluntarily assumed, &c.—This provision has in the *Killarney* case worked in a manner obviously at variance with the intentions of Parliament, &c.

Examination as to the application of various large sums of money drawn by the trustees of the savings bank; they might have been paid to persons that had claims on the bank similar to those that Mr. Pratt awarded, *Mayne* 174-208. 225-228.—Names of the trustees most constant in their attention to the working of the institution in 1840, &c. 454. 513-522.—Particulars relative to witness's attendance at the bank in 1843, *For* 670-674.—Witness was a trustee in 1847; amount of the deficiency in that year, &c. 1001-1019.

2. *Papers laid before the Committee:*

Paper signed by several trustees and managers, stating their willingness to incur a personal responsibility to the extent of 5,000 l. in the whole, for the purpose of enabling the trustees to pay all claimants 20 s. in the pound, whose demands may be awarded to be paid by Mr. John Tidd Pratt, in case the funds of the institution shall be insufficient, *App.* 113.—List of new trustees and managers of the St. Peter's Savings Bank, elected on the 8th June 1831, &c. 118, 119.

See also Accounts, 3. *Annual Accounts.* *Attendance of Trustees.* *Awards.*
Balances. *Cheques.* *Government, The.* *Instructions.* *Meetings of the*
Board. *Pass Books.* *Payments.* *Receipts and Payments.*

U.

Unsatisfied Claims. The report of the superintending committee, of 27 February 1839, "that all the claims on the savings bank had been satisfied," was not intended to include the depositors and those whose deposits had been fraudulently made away with by Mr. Dunn; it only referred to the special claims, *Mayne* 209-220.—Reference to the report of the superintending committee of 1839, stating that "no unsatisfied claims remained unpaid," at which time there was a large deficiency in the funds of the bank, &c. 522.—Mistake attached by witness to that statement; how far witness can reconcile the two statements that there were no unsatisfied claims, whilst there was an acknowledged deficiency in the funds, &c. 523-553.

Witness recollects the committee reporting in 1839 that they "think it right to apprise the trustees and managers that there does not remain at present any unsatisfied claims upon their institution, whether from depositors or other persons who had lodged their money or otherwise during the periods previously to the year 1831;" meaning of this statement, *For* 593-601.—Extract from the report of the superintending committee of 27 February 1839, stating that there does not remain any unsatisfied claims upon the institution, whether from depositors or other persons who had lodged their money during the periods previously to the year 1831, *App.* 100.—See also *Claims.*

V.

Voluntary Subscriptions. See *Auchinarder Savings Bank.* *Killarney Savings Bank.*
Legal Proceedings.

Vouchers. Witness does not know what became of the cheques of the Cuffe-street Bank after presentation at the Bank of Ireland, *For* 767, 768.

See also *Bank of Ireland.* *Cheques.*